LAWS592
Issues in Heritage Conservation
S1 Day 2016
Dept of Law

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General Information

Unit convenor and teaching staff
Judith Preston
judith.preston@mq.edu.au

Credit points
3

Prerequisites
(24cp in LAW or LAWS units) or (39cp including ENV267)

Corequisites

Co-badged status
Law 859 Heritage Law and Policy

Unit description
This unit examines the concept of heritage and the various mechanisms for conservation of natural and cultural, intangible and tangible, elements of heritage. Specific areas include underwater cultural heritage, movable heritage, Indigenous intangible heritage and cultural expressions. Legal regimes for heritage conservation at international, national, state and local levels are examined and case studies are used to illustrate the policy tensions inherent in environmental decision making in this area. International initiatives to address issues in heritage conservation are examined and the challenges to effective implementation in developed and developing countries assessed.

Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes
On successful completion of this unit, you will be able to:

1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.
4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international, national, and local heritage conservation.
5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

**Assessment Tasks**

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class Participation</td>
<td>20%</td>
<td>22-24 April 2016 (Day 1-3)</td>
</tr>
<tr>
<td>Research Essay</td>
<td>40%</td>
<td>6 June 2016</td>
</tr>
<tr>
<td>Group Presentation</td>
<td>40%</td>
<td>24 April 2016 (Day 3)</td>
</tr>
</tbody>
</table>

**Class Participation**

Due: **22-24 April 2016 (Day 1-3)**  
Weighting: **20%**

Class participation will be assessed on the basis of involvement in the on campus session (OCS). Students should ensure they have completed the required reading for each session before the on campus sessions commence, and be prepared to discuss this material in each session. Guiding questions are set out in the *Course Readings and Preparation* document on iLearn and students should be prepared to participate in further discussion and analysis beyond these. Students will not be awarded participation marks just for attending class. The following non-exhaustive list of criteria will be used to assess your class participation:

- The level of preparedness for each OCS assessed by responses to questions, answers and opinions offered throughout class;
- The level of analysis you display in class;
- Your ability to answer questions put directly to you in class;
- Your ability to make an educated and legally feasible arguments in class;
- The way in which you engage in a constructive way with other students and the Unit Convenor in class.

On successful completion you will be able to:
1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.

2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.

3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.

4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international, national, and local heritage conservation.

5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.

6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Research Essay

Due: 6 June 2016
Weighting: 40%

The research essay requires students to select a topic from the list of essay topics provided by the Unit Convenor on iLearn. If a student wishes to select his or her own topic, he or she must seek approval of the topic at least 3 weeks before the due date for the essay. The essay should be a maximum of 5,000 words inclusive of citations and bibliography, fully referenced in compliance with the most recent edition of the *Australian Guide to Legal Citation*. This research essay will focus on independent research and writing.

On successful completion you will be able to:

1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.

2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.

3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.

4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international, national, and local heritage conservation.

5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.

6. Demonstrate an enquiring, critical and creative approach to established heritage law...
Group Presentation
Due: 24 April 2016 (Day 3)
Weighting: 40%

Students will be divided into groups of up to 4 students and allocated an important judicial decision relating to heritage law. The presentation will be delivered orally and must be supported by a powerpoint presentation. The presentation must be a maximum of 10 minutes. Groups exceeding the time limit will be penalized by up to 10% of the mark.

Students will be assessed on the:

• Clarity of the facts, ratio and rationale of the case.
• Reason for its importance in the context of the legal policy framework.
• Ability of the group to propose and lead appropriate class discussion questions.

This assessment requires the group to submit a summary paper of up to 1,000 words consisting of the powerpoint presentation and any other relevant material.

On successful completion you will be able to:

• 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
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• 3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.
• 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international, national, and local heritage conservation.
• 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
• 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Delivery and Resources
You will find all resources and required reading list in the online unit available at ilearn.mq.edu.au.

Unit Schedule
This Unit is being delivered by recorded seminars in E3A Room 165 which is compulsory for
internal students.

The intensive On Campus Session will take place on Friday to Sunday 22-24 April 2016 at E5A Room 120 from 9am-6pm. This is compulsory for ALL students. If you cannot attend these compulsory sessions you will not be able to complete the unit.

Learning and Teaching Activities

OCS Outline
The outline will be uploaded to iLearn

Policies and Procedures
Macquarie University policies and procedures are accessible from Policy Central. Students should be aware of the following policies in particular with regard to Learning and Teaching:


In addition, a number of other policies can be found in the Learning and Teaching Category of Policy Central.

Student Code of Conduct
Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student_conduct/](https://students.mq.edu.au/support/student_conduct/)

Results
Results shown in iLearn, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au.

In the absence of a successful application for special consideration due to a disruption of
Student Support
Macquarie University provides a range of support services for students. For details, visit [http://students.mq.edu.au/support/](http://students.mq.edu.au/support/)

Learning Skills
Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](http://mq.edu.au/learningskills)
- [StudyWise](http://mq.edu.au/learningskills)
- [Academic Integrity Module for Students](http://mq.edu.au/learningskills)
- [Ask a Learning Adviser](http://mq.edu.au/learningskills)

Student Services and Support
Students with a disability are encouraged to contact the [Disability Service](http://students.mq.edu.au/) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries
For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

IT Help
For help with University computer systems and technology, visit [http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University’s IT, you must adhere to the [Acceptable Use of IT Resources Policy](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/). The policy applies to all who connect to the MQ network including students.

Graduate Capabilities
Creative and Innovative
Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Learning outcomes

- 3. Develop an appreciation of the international law framework for heritage conservation
and the challenges involved in effective implementation of international heritage conventions at domestic level.

• 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

**Assessment tasks**

• Class Participation
• Research Essay
• Group Presentation

**Capable of Professional and Personal Judgement and Initiative**

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

**Learning outcomes**

• 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.
• 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

**Assessment tasks**

• Class Participation
• Group Presentation

**Commitment to Continuous Learning**

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

**Assessment tasks**

• Class Participation
• Research Essay
• Group Presentation
Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

**Learning outcomes**

1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.
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6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

**Assessment tasks**

- Class Participation
- Research Essay

**Critical, Analytical and Integrative Thinking**

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

**Learning outcomes**

1. Demonstrate an understanding of the philosophical and contextual frameworks
underpinning definitions of heritage.

• 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.

• 3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.

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• 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Assessment tasks

• Class Participation
• Research Essay

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

Learning outcomes

• 4. Demonstrate an ability to identify and recommend potential law reforms to address issues in international, national, and local heritage conservation.

• 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.

• 6. Demonstrate an enquiring, critical and creative approach to established heritage law and policy.

Assessment tasks

• Research Essay
• Group Presentation
Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

**Learning outcomes**

- 1. Demonstrate an understanding of the philosophical and contextual frameworks underpinning definitions of heritage.
- 2. Display a sound knowledge of the scope of natural and cultural heritage, including intangible, tangible (moveable and immoveable), Indigenous and underwater heritage.
- 3. Develop an appreciation of the international law framework for heritage conservation and the challenges involved in effective implementation of international heritage conventions at domestic level.
- 5. Demonstrate an ability to assess the effectiveness of heritage conservation under the Australian legal system at Federal, State and local government levels.

**Assessment tasks**

- Class Participation
- Group Presentation

**Changes from Previous Offering**

The unit is being offered via weekly recorded seminars and by OCS. The seminars are compulsory for internal students. The OCS is 3 days and is compulsory for ALL students.

**Changes since First Published**

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<tr>
<th>Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>08/02/2016</td>
<td>The Unit is being delivered weekly and intensively. Internal students must attend weekly seminars and all of the OCS</td>
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