

Scoring instructions

Decide which difficulty level your group will attempt. If you finish early, move on to the next level.

Level 1 – (least difficult) – Call ‘Bingo’ after your group has found examples for any 2 horizontal rows.

Level 2 – Call ‘Bingo’ after your group has found examples for one horizontal row and one vertical column.

Level 3 – Call ‘Bingo’ after your group has found examples for any 2 vertical columns.

Level 4 (expert) – Call ‘Bingo’ after your group has found examples for all 17 goals.

Table to record your answers

Before you can cross a goal off your Bingo sheet, you must use this table to record an example of how Australian aid is helping to achieve the goal in a **Pacific** or **Southeast Asian nation**.

Goal 4 – Quality Education – has already been done for you.

To find examples, investigate the **Development Cooperation Factsheets** on the **DFAT** website. Select a nation to read about the impact Australian aid is making on that country. The **Program highlights** section will help your group to complete the table.

GOAL	COUNTRY	RESULT ACHIEVED WITH AUSTRALIAN AID
1		
2		
3		
4	Papua New Guinea	Over 3,200 teachers trained in literacy, maths and school management
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		

SDG BINGO

Cross out a goal when you have added it to your table.

See the scoring instructions for when you can call “Bingo”.



The *Commonwealth of Australia v Tasmania*—known informally as the Tasmanian Dams Case—is one of the most famous constitutional cases in Australian history. The High Court’s interpretation of the Australian Constitution in this case set a precedent for the Australian Parliament to make laws to fulfil Australia’s international legal obligations.

The following case study will analyse the case by breaking it into 4 parts:

Facts

A brief overview of the relevant facts that lead to the case appearing in the High Court.

Issues

The key questions about the Australian Constitution the High Court had to consider.

Verdict

The decision made by a majority of the High Court in order to resolve the case.

Reasoning

The High Court’s explanation for why they arrived at the verdict they did.

The Commonwealth of Australia v Tasmania (1983)

Facts

In 1978, the Tasmanian Government proposed to construct the Franklin Dam on the Gordon River. The dam would have flooded a large section of the Franklin River in south-west Tasmania: an area which, in 1982, was declared a World Heritage Site by the United Nations. The same year, the Tasmanian Parliament passed laws allowing the dam to proceed.

In 1983, when initial construction for the dam had already commenced, the Australian Parliament passed the *World Heritage Properties Conservation Act 1983*. The Act allowed the Australian Government to stop clearing, excavation and other activities that would damage the Tasmanian World Heritage site.

The Tasmanian Government ignored the new Australian law and refused to halt construction of the dam. The Australian Government commenced proceedings against Tasmania in the High Court.

Issues

The High Court had to decide whether the *World Heritage Properties Conservation Act 1983* was a valid Australian law.

A central question was whether the power to make the law could be granted by section 51 (xxix) of the Constitution, which gives the Australian Parliament the power to make laws ‘with respect to ... external affairs.’

According to precedent – past - cases, the scope of the ‘external affairs’ power was unclear. Did the Australian Parliament have the power to make laws to fulfil its obligations under international treaties such as the World Heritage Convention?

Verdict

The 7 justices of the High Court split 4 to 3 to decide that the Australian Parliament did have the constitutional power to make the *World Heritage Properties Conservation Act 1983*. The law was valid and the Tasmanian Government needed to stop construction of the Franklin Dam.

Reasoning

In their majority judgement, the Court found the Australian Parliament could create laws to meet its international treaty obligations under Section 51 (xxix) of the Constitution.

The use of the term 'external affairs' was deliberately broad. There were few international organisations in existence when the Constitution was written in 1901, for example, the United Nations was not established until 1945. To participate fully in international affairs in the modern era, the Court reasoned the Australian Government needed the power to not only sign international treaties but to put their obligations under those treaties into action. *The World Heritage Properties Conservation Act 1983* was a valid law because it put into action Australia's obligations under the World Heritage Convention.

The legacy of the Tasmanian Dams Case

The Tasmanian Dams Case significantly impacted how law-making power is divided between the Australian Government and the state governments.

The Court's interpretation of Section 51 (xxix) expanded the law-making power of the Australian Parliament. Because Australia signs international treaties concerning a range of subjects, the case meant the Australian Parliament could make laws about a range of matters that were previously considered beyond its power.

Critics of the Tasmanian Dams Case believe it disturbed the power balance in Australia by giving too much law-making power to the Australian Parliament. Others celebrate the outcome as an important step forward for environmental protection in Australia. The decision led to several new laws to protect Australia's environmental heritage and biodiversity.

The Tasmanian Dams Case also set a precedent for how High Court judgements are communicated to the public. Because there was huge public interest in the case, the Court issued a media release summarising their judgement in language that ordinary people could understand. In it, they stressed their decision was based on the Constitution - not whether the dam was a good policy decision. Today, a media release is issued after every High Court case.

Tasmanian Dams case analysis guide

Read the focus text – High Court Case Study: Tasmanian Dams Case – before answering the true or false questions below.

Level 1 – On the lines		T/F	Justification of answer
At this level, the answer will be 'right there' in the text.			Use evidence from the text to explain why the statement is true or false.
The Tasmanian Government took the case to the High Court			
All of the justices agreed the law was valid			
The case gave more law-making power to the Australian Government			
Level 2 – Between the lines		T/F	Justification of answer
At this level, you will need to infer the answer from the text.			Explain why you've made your inference, using evidence from the text.
The 4 judges who decided that the law was valid must have been passionate about the environment			
The High Court was concerned that its decision could result in backlash from the general public			
The drafters of the Constitution were aware it would need to serve Australia well into the future			
Level 3- Beyond the lines			Justification of answer
At this level, you will need to express your opinion on the statement.			Elaborate on why you agree or disagree with the statement. Your argument can be informed by ideas and knowledge beyond what is written in the text.
In his majority judgement, Justice Lionel Murphy wrote 'The encouragement of people to think internationally, to regard the culture of their own country as part of world culture ... is important to avoid the destruction of humanity.'			