

Scoring instructions

Decide which difficulty level your group will attempt. You may like to consult with your teacher for guidance. 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 country in Asia or the Pacific. Goal 3 – Good Health and Wellbeing – has already been done for you. To find examples, go to the *Where we give aid* map on the DFAT website. Select a nation and refer to *Our results* and/or the *Aid fact sheet* to read about the impact Australian aid is having in that country.

GOAL	COUNTRY	RESULT ACHIEVED THANKS TO AUSTRALIAN AID
1		
2		
3	Papua New Guinea	Over 3.3 million children vaccinated against polio
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		

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. (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 in their view. Today, a media release is issued after every High Court case.

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
<i>At this level, the answer will be 'right there' in the text.</i>			<i>Use evidence from the text to explain why the statement is true or false.</i>
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
<i>At this level, you will need to infer the answer from the text.</i>			<i>Explain why you've made your inference, using evidence from the text.</i>
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	
<i>At this level, you will need to express your opinion on the statement.</i>		<i>Elaborate on why you agree or disagree with the statement. Your argument can be informed by ideas and knowledge beyond what's written in the text.</i>	
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.'			

Research how Australia's international legal obligations shape Australian law and government policies, in relation to one of the following issues:

1. Environmental world heritage
2. The rights of Aboriginal and Torres Strait Islander peoples
3. Another topic of your choice that is approved by your teacher

Synthesise your research into an extended response that analyses and evaluates how Australia is taking action on its international legal obligations in relation to your chosen issue.

You have 3 options for presenting your response:

Option 1

Write a 1000–1200 word essay that analyses and evaluates the action Australia is taking in relation to your selected issue. Your essay should build a balanced argument that takes into account different points of view and perspectives. It must include in-text referencing and a bibliography.

Option 2

Present a 5–8 minute presentation, in which you analyse and evaluate the action Australia is taking in relation to your selected issue. Your evaluation should be balanced and take into account different perspectives on the issue. Your presentation should be supported by a range of visuals.

Option 3

Present your extended response as a creative product. This could take the form of an artwork, a video or an animation. Check your intended creative product with your teacher before you begin.

Write a 400–500 word rationale to accompany your creative response. Your rationale should explain how your creative response analyses and evaluates the action Australia is taking in relation to your selected issue.

Scaffold to guide your research

Modify the focus question below after you have selected your topic

FOCUS QUESTION	How is Australia acting on its international legal obligations in relation to _____?
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Add more specific research questions to the table below

RESEARCH THE ISSUE	Why is this issue important in Australia and internationally?
RESEARCH INTERNATIONAL LAW	What international agreements has Australia signed in relation to this issue?
RESEARCH DOMESTIC LAW	What laws and/or policies has Australia made in relation to this issue?
RESEARCH DIFFERENT PERSPECTIVES	What do different stakeholders think of the action Australia has taken in relation to this issue?
RESEARCH POSSIBILITIES FOR FURTHER ACTION	What further action could Australia take in relation to this issue?

Curriculum alignment — Year 10

After completing this Unit of work and associated assessment tasks, students will have met the achievement standard for the Year 10 Australian Civics and Citizenship Curriculum.

Australian Curriculum 8.4

Knowledge

By the end of Year 10, students compare and evaluate the key features and values of systems of government and analyse the Australian government's global roles and responsibilities. They analyse the role of the High Court and explain how Australia's international legal obligations influence law and government policy. Students evaluate a range of factors that sustain democratic societies.

Skills

When researching, students evaluate a range of questions to investigate Australia's political and legal systems and critically analyse information gathered from different sources for relevance, reliability and omission. They account for and evaluate different interpretations and points of view on Civics and Citizenship issues. When planning for action, students take into account multiple perspectives and ambiguities, use democratic processes, and negotiate solutions to an issue. Students develop and present evidence-based arguments incorporating different points of view on Civics and Citizenship issues. They use appropriate texts, subject-specific language and concepts. They evaluate ways they can be active and informed citizens in different contexts.

Australian Curriculum 9.0

Knowledge

By the end of Year 10, students compare the key features and values of Australia's system of government to those of another system of government. They describe the Australian Government's role and responsibilities at a regional and global level. They explain the role of the High Court of Australia. They explain how Australia's international legal obligations influence the law and government policy. They identify and explain challenges to a resilient democracy and a cohesive society in Australia.

Skills

Students develop and refine a range of questions and locate, select and compare relevant and reliable information from a range of sources to investigate political and legal systems, and contemporary civic issues. They analyse information to evaluate perspectives and challenges related to political, legal or civic issues. They evaluate and compare the methods or strategies related to civic participation or action. Students use civics and citizenship knowledge, concepts and terms to develop descriptions, explanations and arguments that synthesise evidence from sources.

Unit assessment overview

This Unit of work provides a range of informal and formal assessment items. The suggested formal assessment task is an essay, presentation or creative response that explains how Australia's international legal obligations shape Australian law and government policies, in relation to a specific issue. This task aligns to the Year 10 Australian Civics and Citizenship Curriculum, including skills components. [PEO quizzes](#) could be used as further assessment items. Teachers will need to develop an appropriate marking criterion and rubric appropriate using the relevant Australian Curriculum content descriptors.

Australian Curriculum 8.4	Australian Curriculum 9.0	Topic	Learning goals and success criteria
<p>Knowledge ACHCK090 ACHCK094</p> <p>Skills ACHCS095</p>	<p>Knowledge AC9HC10K01 AC9HC10K05</p> <p>Skills AC9HC10S01</p>	<p>Topic 1 Features of Australia's system of government</p>	<p>Students will understand: The key features of Australia's system of government.</p> <p>Students will be able to: Compare Australia's system of government to another system of government in the Asian region.</p>
<p>Knowledge ACHCK090 ACHCK094</p> <p>Skills ACHCS099 ACHCS100 ACHCS101</p>	<p>Knowledge AC9HC10K01 AC9HC10K05</p> <p>Skills AC9HC10S04 AC9HC10S05</p>	<p>Topic 2 Values of Australia's system of government</p>	<p>Students will understand: The democratic values that underpin Australia's system of government.</p> <p>Students will be able to: Recommend a change to Australia's system of government that they believe would promote our democratic values.</p>
<p>Knowledge ACHCK091 ACHCK093 ACHCK094</p> <p>Skills ACHCS096 ACHCS098 ACHCS099 ACHCS100 ACHCS102</p>	<p>Knowledge AC9HC10K02 AC9HC10K04 AC9HC10K05</p> <p>Skills AC9HC10S02 AC9HC10S04</p>	<p>Topic 3 Australia's global roles and responsibilities: foreign aid</p>	<p>Students will understand: Australia's role in providing foreign aid to nations in the Asia-Pacific region.</p> <p>Australia's responsibilities under the 2030 Agenda for Sustainable Development.</p> <p>Students will be able to:</p> <p>Investigate how Australia's foreign aid projects are contributing to the 2030 Agenda for Sustainable Development.</p> <p>Reflect on ways they can work towards the sustainable development goals as individual citizens.</p>
<p>Knowledge ACHCK091 ACHCK093</p> <p>Skills ACHCS097 ACHCS098 ACHCS099</p>	<p>Knowledge AC9HC10K02 AC9HC10K04</p> <p>Skills AC9HC10S03</p>	<p>Topic 4 Protecting World Heritage: Franklin Dam Controversy</p>	<p>Students will understand: Australia's international obligations in relation to protecting environmental World Heritage.</p> <p>The significance of the Franklin River Dam Controversy.</p> <p>Students will be able to: Analyse primary sources from the Franklin River Dam Controversy to identify different interpretations and points of view.</p>

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<p>Knowledge ACHCK092 ACHCK093</p> <p>Skills ACHCS101 ACHCS102</p>	<p>Knowledge AC9HC10K03 AC9HC10K04</p> <p>Skills AC9HC10S05</p>	<p>Topic 5 The Constitution and the High Court</p>	<p>Students will understand: The role of the High Court in interpreting the Constitution.</p> <p>The Federal Parliament's Constitutional power to create laws that fulfil Australia's international legal obligations.</p> <p>Students will be able to: Analyse the role of the High Court in interpreting the Constitution, through a close study of the Tasmania Dams case.</p>
<p>Knowledge ACHCK091 ACHCK093 ACHCK094</p> <p>Skills ACHCS097 ACHCS101 ACHCS102</p>	<p>Knowledge AC9HC10K02 AC9HC10K04 AC9HC10K05</p> <p>Skills AC9HC10S03 AC9HC10S05</p>	<p>Topic 6 Rights in Australia</p>	<p>Students will understand: How international Human Rights treaties influence Australian law and policies.</p> <p>Students will be able to: Explain why we have human rights and how they are safeguarded in Australia.</p>