

# Call for tenders for an exploration permit for minerals

Wolfram Camp mine, Bamford Hill mine, and surrounding exploration areas

Tender Code: MLR2023-1

January 2023

Tender details and process document

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## Queensland Resources Industry Development Plan – Action 7: Pilot program to re-commercialise an abandoned mine

Queensland's resources industry has underpinned our state's economic development and prosperity for more than a century. Our metals, minerals, coal and gas industries have helped define our state and are part of Queensland's identity at home and abroad (Figure 1).

The Queensland Government released the [Queensland Resources Industry Development Plan](#) (QRIDP) in June 2022, setting out a clear 30-year vision for Queensland's resources industry: to be a resilient, responsible and sustainable resources industry that grows as it transforms.

To achieve this vision, government and industry will need to work cooperatively so that, by 2050, Queensland's resources industry will be recognised globally as an ESG leader, a global supplier of critical minerals, and a creator of high-quality, high-wage jobs and careers.

The QRIDP identifies six focus areas where government and industry need to take action. Focus area 1 is to grow and diversify the industry. Diversifying Queensland's resources industry is essential to encourage sustainable, long-term economic growth. Growing Queensland's critical minerals industry and seizing the opportunities of a decarbonising global economy are both central to this.

Under Focus area 1 of the QRIDP, Action 7 outlines that the Queensland Government has commenced a pilot program to re-commercialise an area that includes the former Wolfram Camp mine, Bamford Hill mine, and surrounding exploration areas (together covered by Restricted Area 442). The Department of Resources (the department) is administering the pilot program.

This Call for Tenders provides the opportunity for interested parties to participate in a competitive tender for an Exploration Permit for Minerals (EPM) over the area of Restricted Area 442. The successful bidder will be able to progress their application for an EPM and, if granted, deliver a work program to establish a pathway for re-commercialisation of Wolfram Camp mine and potentially resource extraction activities in surrounding exploration areas within the tenure.

Another key focus area of the QRIDP is Focus area 2: to strengthen the resource industry's ESG credentials and protect the environment.

International capital markets are shifting rapidly towards those investments with the highest ESG credentials. Queensland can embrace opportunities offered by ESG to position itself as a preferred international supplier, due to not only our high-quality resources, but also our comparative advantage as a politically stable, equitable society and well-regulated, sustainable, and highly skilled economy.

The pilot program embeds ESG as a priority in the tender process by including special criteria for bidders to demonstrate their ESG credentials. This is designed to ensure a suitable bidder with the financial, technical and ESG capabilities to explore the site under an EPM is awarded the tender.

The department will use learnings from this pilot program, including the competitive tender process, to inform decision-making and the process around future abandoned mine site releases in Queensland.

## Queensland's resources and infrastructure

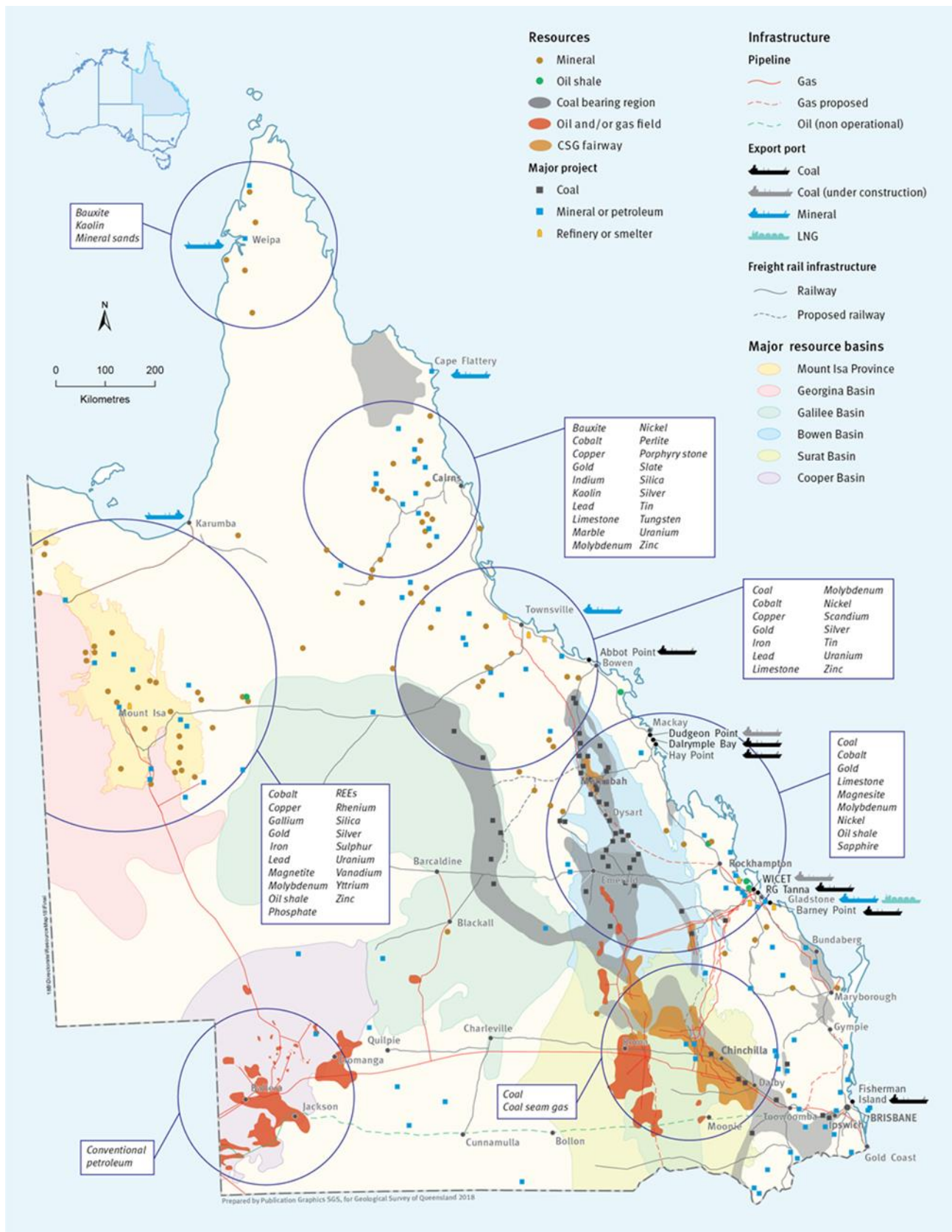


Figure 1: Queensland's Resources and Infrastructure

## Contents

<b>1. Introduction .....</b>	<b>2</b>
1.1 Tender objectives.....	2
1.2 EPM Term.....	2
1.3 Market sounding.....	2
1.4 Early data release .....	2
1.5 Information Memorandum and Environmental Baseline Report and technical report .....	3
1.6 Webinar and site visit .....	3
1.7 Community Engagement .....	3
<b>2. Important Notice .....</b>	<b>3</b>
<b>3. Key Information for Tender .....</b>	<b>4</b>
<b>4. Tender Location, Considerations and Conditions .....</b>	<b>7</b>
4.1 Tender Area Location .....	7
4.2 Tender Area Considerations .....	8
4.2.1 Environment .....	8
4.2.2 Regional Planning Interests.....	10
4.2.3 Native Title .....	11
4.2.4 Land Access.....	11
4.2.5 Overlapping tenure.....	12
4.2.6 Disqualification.....	13
4.2.7 Human rights.....	13
4.3 Proposed Additional Condition for the EPM .....	13
4.3.1 Wolfram Camp re-commercialisation viability report.....	13
4.4 Reporting requirements for the EPM .....	14
<b>5. Tender Process .....</b>	<b>14</b>
5.1 Call for Tenders.....	14
5.2 Governance and Probity .....	14
5.3 Obtaining Tender Documents .....	14
5.4 How to submit a tender .....	15
5.5 Timing .....	16
5.6 Tender Evaluation Process .....	16
5.7 Preferred Tenderer Obligations .....	18
5.8 Preferred Tenderer Status – Reporting and Revocation.....	18
5.8.1 Progress reporting and requests for further information.....	18
5.8.2 Revocation of preferred tenderer appointment .....	19
5.9 Feedback to unsuccessful tenderers .....	19
5.10 Grant of an EPM.....	19
<b>6. Tender Evaluation Criteria .....</b>	<b>19</b>
6.1 MRA Provisions.....	20
6.1.1 Prescribed criteria .....	20
6.2 Requirements for Making Tender .....	21

6.2.1	Matters associated with the Work Program Criteria – Appropriateness of the tenderer’s proposed activities-based work program.....	22
6.2.2	Matters associated with the Capability Criteria - Tenderer’s capability for carrying out the proposed activities, having regard to the tenderer’s financial resources.....	23
6.2.3	Matters associated with the Capability Criteria - Tenderer’s capability for carrying out the proposed activities for the authority, having regard to the tenderer’s technical resources.....	24
6.2.4	Matters associated with Special Criteria 1 - Environment-Social-Governance (ESG) .....	25

<b>7.</b>	<b>Tender Conditions .....</b>	<b>26</b>
7.1	Statutory framework .....	26
7.2	Application of Tender Conditions.....	26
7.3	Tenderer to acquaint itself before tendering .....	26
7.3.1	General .....	26
7.3.2	Disclaimer.....	27
7.4	Tender Costs and Fees .....	27
7.5	Contents of Tender Lodgement.....	27
7.5.1	Form of tender .....	27
7.5.2	Late tenders .....	27
7.5.3	Opening of tenders.....	27
7.5.4	Non-compliant tenders .....	27
7.5.5	Reliance on information.....	27
7.6	Retention of Security .....	28
7.7	State’s Consideration of Tenders .....	28
7.8	Acceptance of Tenders .....	28
7.8.1	The Minister’s discretion .....	28
7.8.2	Notification of appointment of preferred tenderer.....	28
7.8.3	Notification of successful tender .....	28
7.9	Collusive Tendering.....	28
7.10	Communication with the Minister or the Department.....	28
7.11	Conflict of Interest .....	29
7.12	Ownership of Tender .....	29
7.13	Preferred Tenderer’s Deed .....	29
7.14	Requests for Information or Clarification by Tenderers.....	29
7.15	Confidentiality .....	30
7.15.1	Disclosure by the tenderer.....	30
7.15.2	Disclosure by the Minister or the State .....	30
7.16	Privacy Notice .....	30
7.17	Right to Information.....	30
7.18	Governing Law.....	30
7.19	Validity of Tender .....	31
7.20	Amendments to Tender Documents or Processes .....	31
7.21	Tender Process .....	31
7.22	Discretion Not Fettered .....	31
7.23	Tenderer’s Further Assistance .....	32
7.24	Information Requests by the Minister.....	32

7.25	Post Tender Negotiations .....	32
7.25.1	Negotiations .....	32
7.25.2	Best and final offer .....	32
7.25.3	The Minister not obliged .....	32
7.25.4	Unsuccessful post tender negotiations .....	32
7.26	Changes .....	33
7.27	Tenderer’s Warranties .....	33
7.28	Exclusion of Claims Against the Minister and the State .....	33
7.29	No Reliance.....	33
7.30	Indemnity .....	34
<b>Appendix A: Call for Tenders .....</b>		<b>36</b>
<b>Appendix B: Tender application form.....</b>		<b>37</b>
<b>Appendix C: Response templates .....</b>		<b>38</b>
<b>Appendix D: Tender Checklist .....</b>		<b>39</b>
<b>Appendix E: Block and sub-block descriptors of tender area .....</b>		<b>40</b>
<b>Appendix F: Information Memorandum for the former Wolfram Camp Mine and areas under Restricted Area 442.....</b>		<b>41</b>
<b>Appendix G: Baseline Environmental Assessment and Rehabilitation Requirements for Restricted Area 442 Report .....</b>		<b>42</b>
<b>Appendix H: Frequently asked questions.....</b>		<b>43</b>

**Table of figures**

Figure 1: Queensland’s Resources and Infrastructure.....	ii
Figure 2: Location of tender area .....	7
Figure 3: Surrounding EPM Tenures.....	8
Figure 4: Tender evaluation process flow chart .....	17

**Table of tables**

Table 1 – MLR2023-1 Key Information for Tender .....	4
Table 2 – Environmental references .....	9
Table 3 – RPI Act references.....	11
Table 4 – Native Title references .....	11
Table 5 – Land Access references .....	12
Table 6 – Tender submission naming convention .....	16
Table 7 – Preferred Tenderer Obligations .....	18
Table 8 – Tender evaluation criteria and weightings.....	22

## Background

### Re-commercialising abandoned mines

Queensland has approximately 120 significant abandoned mine sites currently managed under the Abandoned Mines Lands Program. Some of these sites have potential for re-commercialisation due to their tailings storages, stockpiles or remaining in-ground resources and are increasingly of interest to prospective investors in the context of rising commodity demand, site characteristics, new technologies and circular economy opportunities.

To support future re-commercialisation opportunities, and in addition to QRDIP Action 7 to undertake a pilot program to re-commercialise an abandoned mine, the department is working with the Department of Environment and Science and Queensland Treasury to establish abandoned mines re-commercialisation principles under QRIDP Action 8. These principles are being developed concurrently with the pilot program roll-out and will help guide and inform future re-commercialisation decisions to ensure that they deliver:

- in the public benefit
- net environmental improvement
- economic performance.

Agencies will consult with the independent Rehabilitation Commissioner and industry in developing these principles.

Read more about management of [abandoned mine sites](#).

### Critical minerals

Queensland is home to many of the critical minerals and metals that the world needs to decarbonise. These minerals and metals are critical in the production of renewable energy technologies such as solar panels and wind turbines, as well as the grid storage batteries required to store the energy when the sun goes down and the wind eases.

The opportunity that critical minerals present to Queensland is immense. The International Energy Agency estimates that demand for critical minerals will increase over the years to 2050, tripling under current global measures to reduce emissions, and increasing by up to six times if efforts to achieve net zero emissions by 2050 escalate.

The QRIDP identifies an immediate opportunity to capitalise on the significant increase in demand for critical minerals by building and supporting critical minerals supply chains in Queensland through expanded mineral processing, value adding and manufacturing capacity.

Many of our abandoned mine sites contain one or more of these critical minerals and the potential to re-commercialise remaining resources at our abandoned mine sites supports the QRDIP initiatives to accelerate our critical minerals sector.

### Exploration opportunities

For more information about exploration opportunities including competitive tenders, exploration grants and other resources investment opportunities, please visit [www.business.qld.gov.au/industries/mining-energy-water/resources/geoscience-information/exploration-incentives](http://www.business.qld.gov.au/industries/mining-energy-water/resources/geoscience-information/exploration-incentives)

You can also subscribe to our resource tenders mailing list to be the first to know about competitive tendering updates, including upcoming exploration tender releases. To subscribe, please visit [www.vision6.com.au/em/forms/subscribe.php?db=458558&s=135547&a=23788&k=d3c7ad4](http://www.vision6.com.au/em/forms/subscribe.php?db=458558&s=135547&a=23788&k=d3c7ad4)



## 1. Introduction

This Tender Details and Process Document (MLR2023-1) (the tender document) contains information about the Call for Tenders for Exploration Permit for Minerals Notice (No 01) 2023 (the Call for Tenders) made under the *Minerals Resources Act 1989* (MRA) published in the Queensland Government Gazette on Friday 27 January 2023. To view the Call for Tenders gazette notice, refer to Appendix A: Call for Tenders.

As required by the MRA, this document contains details relevant to the Call for Tenders. It also explains the process by which the Call for Tenders will be conducted. The department is committed to a competitive tendering process that is transparent, accountable and adheres to probity requirements.

This Call for Tenders releases tender area MLR2023-1-1 that includes the Wolfram Camp mine, Bamford Hill mine and surrounding areas that together are covered by Restricted Area 442 (RA 442) – refer to maps at Figures 2 and 3. The tender area is located in Mareeba Shire in North Queensland, about 20 kilometres (km) from the township of Dimbulah and 90 km west of Cairns. It covers an area of roughly 480 km<sup>2</sup>.

Various deposits within the tender area have been historically significant sources of minerals including tungsten, molybdenum, tin, gold, bismuth and fluorite; from the 1890s to the present day. In addition, there is prospectivity for copper, silver and lithium. Most of these minerals (with the exception of fluorite and gold) are critical minerals as defined in Schedule 4A of the Mineral Resources Regulation 2013.

Subject to a successful tender outcome and subsequent grant of an EPM over the tender area, it is expected that exploration of this area under an activities-based work program will enable further information to be gained on remaining economic resources within the area, including residual mineralisation in mining stockpiles and the mine pit, and extraction of new mineralisation that might be found.

Following an exploration work program, future development within the tender area under a mining lease could potentially involve a range of mining activities including re-commercialisation of resource extraction at the former mine sites.

### 1.1 Tender objectives

This tender process is designed to appoint a suitable tenderer as preferred tenderer with the financial, technical and ESG capabilities to:

- collect information on any remaining economic resources including stockpiles left from the original mining conducted within the area
- explore the area and evaluate opportunities to re-commercialise the mine site(s) by taking the resources to market
- contribute to the Queensland Government's strategy of managing land, water, mineral and energy resources to optimise sustainable development outcomes, and
- support regional economic development and employment opportunities.

### 1.2 EPM Term

The initial term of an EPM granted as a result of this Call for Tenders is five years. Should a further period of time be required to undertake exploration activities, the tenure holder may apply to the department for a renewal of the exploration permit. It is a requirement that the area of an EPM be reduced by 50 per cent on renewal. Please refer to the MRA for further information regarding tenure requirements.

### 1.3 Market sounding

As an initial phase of the pilot program, a market sounding was completed in 2022 to gain industry feedback on the commercial viability for the area and its potential market release. This feedback has been incorporated in the design of this Call for Tenders.

### 1.4 Early data release

In December 2022, high-quality information on the Wolfram Camp Mine and the surrounding exploration areas was released. This information was intended to assist industry understand and assess the

opportunity in advance of the tender release. Table 1 provides details of how to access the RA442 Initial data package.

## **1.5 Information Memorandum and Environmental Baseline Report and technical report**

The following documents are provided as appendices:

- Appendix F: Information Memorandum for the former Wolfram Camp Mine and areas under Restricted Area 442.
- Appendix G: Baseline Environmental Assessment and Rehabilitation Requirements for Restricted Area 442, NRA Consultants, 2023.

A technical report on the Wolfram Camp mine is also publicly available: Technical report (NI 43-101) on the mineral resources and reserves of the Wolfram Camp mine project, Australia, March 2017 can be accessed using the details in Table 1.

## **1.6 Webinar and site visit**

To assist persons interested in submitting a tender application under the Call for Tenders, the department is offering the opportunity for interested parties to:

- participate in a department-hosted information webinar and,
- visit the Wolfram Camp mine site.

Further details including how to participate in these opportunities and when they will be offered are provided in Table 1.

## **1.7 Community Engagement**

The department has engaged with directly affected landowners, native title parties, overlapping resource tenure holders and local councils to provide advance notice of the pilot program and this Call for Tenders. Regional natural resource management groups along with agricultural, environmental, local government and industry peak bodies have also been informed about the pilot program.

## **2. Important Notice**

This notice applies to all potential tenderers, regardless of whether they submit a tender.

The information in this document has been compiled to assist persons interested in submitting a tender application under the Call for Tenders. It does not contain all information that potential tenderers may require in assessing a proposed EPM or deciding whether to submit a tender. Neither the State, nor the Minister for Resources (the Minister) are liable for any of the information in the tender document.

Tenderers should refer to the Call for Tenders and all sections of this document and satisfy themselves of all the requirements and matters associated with the grant of a proposed EPM before submitting a tender.

Nothing in this document, the Call for Tenders or any other documentation relating to the grant of a proposed EPM constitutes an offer or recommendation by the State in relation to the tendering process or the grant of an EPM.

Participation in the tendering process is at the sole cost and risk of a tenderer and will not constitute the formation of a binding legal relationship between any tenderer and the department until a preferred tenderer has been selected.

### 3. Key Information for Tender

Key information in relation to MLR2023-1 is captured in Table 1 below.

Table 1 – MLR2023-1 Key Information for Tender

Item	Particulars	Section Reference
Tender code	MLR2023-1	This document
Tender area code	MLR2023-1-1	This document
Enquiries (All queries in relation to this tender should be made to this contact)	Exploration, Tendering and Reform Team Georesources Policy Department of Resources <b>E:</b> <a href="mailto:resources-tenders@resources.qld.gov.au">resources-tenders@resources.qld.gov.au</a> <b>P:</b> +61 7 3330 4314	N/A
Information webinar	The department will hold an information webinar at 11.00 am (AEST) on Wednesday 15 February 2023. The webinar will outline the tender opportunity and the tender submission process. Please register your interest to attend the webinar by emailing <a href="mailto:resources-tenders@resources.qld.gov.au">resources-tenders@resources.qld.gov.au</a> by 14 February 2023. Registered parties will be provided with a link to join the webinar in advance of the session. The webinar will be recorded and a link to the recording will be provided following the session.	N/A
Site visit	To assist persons interested in submitting a tender application under the Call for Tenders, the department is offering the opportunity for interested parties to visit the Wolfram Camp mine site in February/March/April 2023. Interest in visiting the site can be expressed by emailing <a href="mailto:resources-tenders@resources.qld.gov.au">resources-tenders@resources.qld.gov.au</a> . Please register your interest by 16 February 2023. Note that site visits will be organised subject to interest and site accessibility during the wet season.	N/A
Obtaining tender document	Potential tenderers and interested parties should register on the QTenders website: <a href="https://qtenders.hpw.qld.gov.au/qtenders/">https://qtenders.hpw.qld.gov.au/qtenders/</a> to download the tender document (this document) and related files by searching for "MLR20231".	Section 5.3
Call for Tenders (Gazette Notice)	Call for Tenders for Exploration Permit for Minerals Notice (No 01) 2023 published in the Queensland Government Gazette on Friday 27 January 2023	Appendix A
Tender documents and appendices	Tender Details and Process Document (MLR2023-1)	Section 5.3
	Tender application form	Appendix B
	Response templates	Appendix C
	Tender Checklist	Appendix D
	Block and sub-block descriptors of tender areas	Appendix E

Item	Particulars	Section Reference
	Information Memorandum for the former Wolfram Camp Mine and areas under Restricted Area 442	Appendix F
	Baseline Environmental Assessment and Rehabilitation Requirements for Restricted Area 442 Report, NRA Environmental Consultants	Appendix G
	Frequently asked questions	Appendix H
Tender area shape files	Shape files for the tender area can be downloaded from QTenders	Section 5.3
Tender evaluation criteria	Tender evaluation criteria and weightings	Section 6.2 Table 8
Tender submission	Tender submission steps	Section 5.4
Data pack and other tender related information	Restricted Area 442 - Wolfram Camp - Initial Data Package Release is available at: <a href="https://geoscience.data.qld.gov.au/data/dataset/ds000097">https://geoscience.data.qld.gov.au/data/dataset/ds000097</a>	N/A
	Technical report (NI 43-101) on the mineral resources and reserves of the Wolfram Camp mine project, Australia, March 2017  This report is publicly accessible at <a href="http://www.sedar.com">www.sedar.com</a> using the search terms:  Company name: Almonty Industries Inc. Date of filing: 29 May 2017	N/A
	The tender area may be viewed in GeoResGlobe under 'Permit administration areas' then 'Advertised area mineral' layer.  <a href="https://georesglobe.information.qld.gov.au/">https://georesglobe.information.qld.gov.au/</a>	N/A
<b>Tender timelines</b>		
Tender open	Friday 27 January 2023	N/A
Last date for tender enquiries to the Department	31 March 2023	N/A
Last date for tender enquiry responses by the Department	7 April 2023	N/A
Tender closing time	2.30 pm (AEST) Thursday 20 April 2023	N/A
<b>Details required under the MRA for the Exploration Permit for Minerals</b>		
Area of EPM	The tender must be for the whole area of the proposed EPM (not part).	N/A
Term of EPM	Five (5) years	N/A
Initial work program period	Five (5) years	N/A
Initial work program type	Activities based	N/A

Item	Particulars	Section Reference
Any proposed conditions on the EPM likely to impact significantly on exploration in the proposed area?	No	N/A
Cash bid component to be used for deciding the call for tenders?	No	N/A
Special criteria	<b>Special criteria 1</b> – Environment-Social-Governance (ESG) criteria	Section 6.2
<b>Proposed additional conditions for an Exploration Permit for Minerals</b>		
Proposed additional condition on EPM	It is proposed that an EPM granted as a result of this Call for Tender will be subject to the following additional condition, requiring the EPM holder to provide a report to the Minister, within three years of the grant of the tenure, detailing the assessment of viability of re-commercialising mining activities at the Wolfram Camp mine site.	4.3

## 4. Tender Location, Considerations and Conditions

### 4.1 Tender Area Location

The tender area is situated in the Palmer-Barron Sub-province of Hodgkinson Province in Far North Queensland. Further details of the tender area location are detailed below.

<b>Size</b>	480 km <sup>2</sup> (147 sub-blocks)
<b>Location</b>	90 km west of Cairns
<b>Province</b>	Hodgkinson Province, Mossman Orogen
<b>Commodity</b>	All minerals other than coal
<b>Prospectivity</b>	Includes but not limited to tungsten, molybdenum, tin, gold, bismuth, fluorite, copper, silver and lithium.

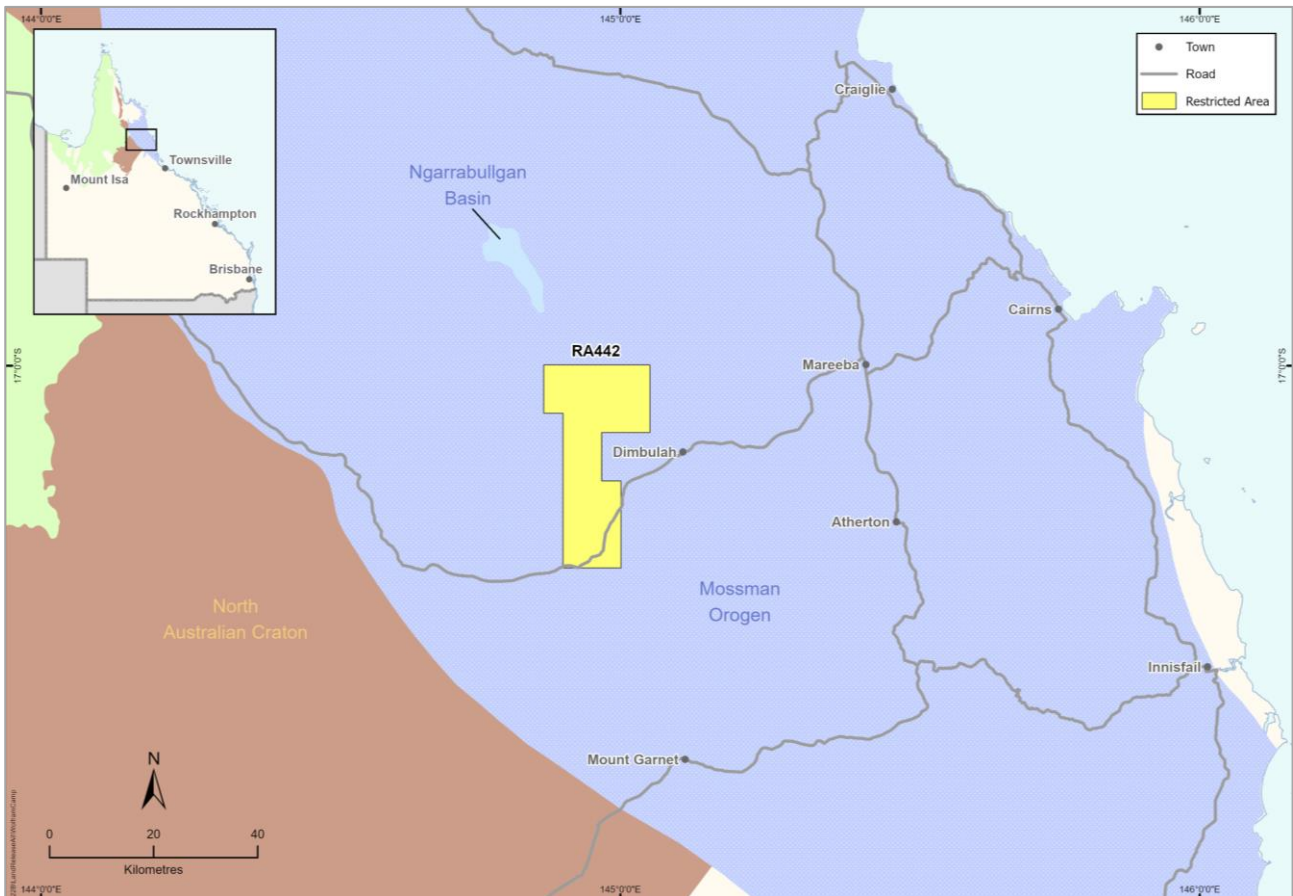


Figure 2: Location of tender area

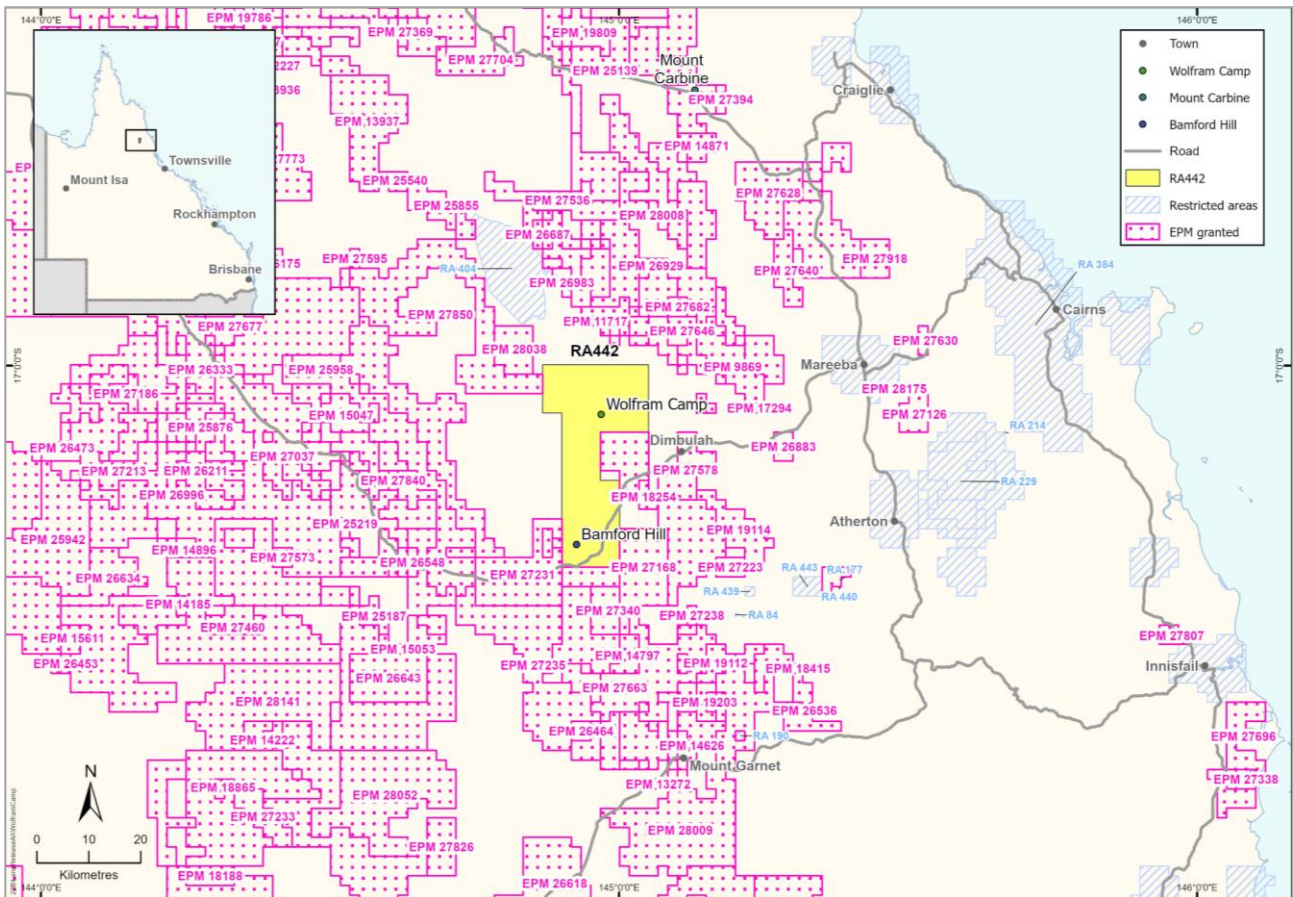


Figure 3: Surrounding EPM Tenures

## 4.2 Tender Area Considerations

A preferred tenderer must meet environmental, native title and other approval requirements before an EPM may be granted under the MRA.

Following grant, the EPM-holder will also need to complete land access and potentially other approval requirements before commencing on-ground exploration.

### 4.2.1 Environment

Every mining project requires both a tenure from the department that gives access to the land, and an environmental authority (EA) from the Department of Environment and Science which regulates the environmental management of the project.

The preferred tenderer will need to apply for an EA to undertake an environmentally relevant activity (ERA) as defined in the *Environmental Protection Act 1994* (EP Act). This application should be made in conjunction with the application for the relevant resource tenure. More details on applying for an EA are available at [www.business.qld.gov.au/running-business/environment/licences-permits/applying](http://www.business.qld.gov.au/running-business/environment/licences-permits/applying).

The *Mineral and Energy Resources (Financial Provisioning) Act 2018* came into force on 1 April 2019. This replaces the prior financial assurance arrangements for resource activities under the EP Act with the Financial Provisioning Scheme (scheme). The holder of an EA for a resource activity or small-scale mining tenure is required to provide financial assurance to the scheme. More details about the scheme are available at [www.treasury.qld.gov.au/resource/financial-provisioning-scheme/](http://www.treasury.qld.gov.au/resource/financial-provisioning-scheme/)

#### Environmental constraints

An independent environmental baseline report, commissioned by the department, is available (Appendix G) to assist applicants better understand environmental constraints on the tender area.

This report provides an assessment of the current environmental baseline conditions and risks for the abandoned Wolfram Camp Mine and Bamford Hill Mine and other relevant historical mining disturbances within RA 442.

Rehabilitation outcomes will be dependent on the impact of the activities of the resource tenure holder, the characteristics of each land area, an assessment of environmental values, agreed land use targets and rehabilitation success criteria.

For areas not impacted by past mining activities the assessment of environmental values and the determination of acceptable outcomes will be less complex.

Applicants can research the potential environmental constraints on the tender area, including location of Environmentally Sensitive Areas (ESAs) and Matters of State Environmental Significance (MSES), from a number of sources, including:

- GeoResGlobe
- QSpatial – Download Matters of State Environmental Significance – Queensland Series
- Queensland Government Globe
- Department of Environment and Science using the mapping links in the table below.

Where a prescribed activity is likely to result in a significant residual impact to a MSES, an environmental offset may be required as a condition of approval following consideration of avoidance and mitigation measures.

#### Requirements under the Environment Protection and Biodiversity Conservation Act

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) is the Australian Government's central piece of environmental legislation. The EPBC Act provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places – defined in the EPBC Act as matters of national environmental significance.

The EPBC Act comes into play when a proposal has the potential to have a significant impact on a matter of national environmental significance. When a person (a 'proponent') wants an action (often called a 'proposal' or 'project') assessed for environmental impacts under the EPBC Act, the proponent must refer the project to the Australian Government Department of Climate Change, Energy, the Environment and Water. This 'referral' is then released for comment on whether the project is likely to have a significant impact on matters of national environmental significance (MNES). A decision is then made whether the likely environmental impacts of the project are such that it should be assessed under the EPBC Act.

Anyone unsure on whether the EPBC Act applies to them, or of what they need to do to comply with the EPBC Act is strongly encouraged to seek further information from the Department of Climate Change, Energy, the Environment and Water.

For further information on environmental related approvals, tenderers should refer to Table 2 below.

Table 2 – Environmental references

Description	References
Department of Environment and Science contact for any EA enquiries	<a href="https://environment.des.qld.gov.au/">https://environment.des.qld.gov.au/</a>
	<b>P:</b> +61 1300 130 372, option 4
	<b>E:</b> <a href="mailto:palm@des.qld.gov.au">palm@des.qld.gov.au</a>
General information on applying for an EA (including a link to Forms and Fees finder)	<a href="http://www.business.qld.gov.au/running-business/environment/licences-permits/applying">www.business.qld.gov.au/running-business/environment/licences-permits/applying</a>
	<a href="http://www.business.qld.gov.au/running-business/environment/licences-permits/form-fees-finder">www.business.qld.gov.au/running-business/environment/licences-permits/form-fees-finder</a>
Eligibility criteria and standard conditions for mineral exploration	<a href="https://environment.des.qld.gov.au/management/activities/non-mining/regulation/environmental-authority">https://environment.des.qld.gov.au/management/activities/non-mining/regulation/environmental-authority</a>



Description	References
Requesting an ESA map	<a href="https://environment.des.qld.gov.au/licences-permits/maps_of_environmentally_sensitive_areas.php">https://environment.des.qld.gov.au/licences-permits/maps_of_environmentally_sensitive_areas.php</a>
Requesting a MSES map	<a href="https://environment.des.qld.gov.au/management/planning-guidelines/method-mapping-mses.html">https://environment.des.qld.gov.au/management/planning-guidelines/method-mapping-mses.html</a>
Queensland environmental offset information	<a href="http://www.qld.gov.au/environment/pollution/management/offsets/what-when">www.qld.gov.au/environment/pollution/management/offsets/what-when</a>
Department of Resources contact for any vegetation enquires	<b>P:</b> +61 13 58 34
	<b>E:</b> <a href="mailto:vegetation@resources.qld.gov.au">vegetation@resources.qld.gov.au</a>
Department of Climate Change, Energy, the Environment and Water contact for general information on approvals under the EPBC Act	<b>P:</b> +61 1800 803 772 (General Enquires)
	<a href="http://www.dcceew.gov.au/environment/epbc">www.dcceew.gov.au/environment/epbc</a>

#### 4.2.2 Regional Planning Interests

The *Regional Planning Interests Act 2014* (RPI Act) regulates impacts from resource and other regulated activities on areas identified as regional interests.

The RPI Act's aim is to:

- manage the impact of resource and regulated activities on areas of regional interest
- support these activities with other activities, such as highly productive agricultural land and
- assist in resolving land use conflict between activities which contribute to the State's economy

Areas of regional interests are:

- priority agricultural areas (PAA) – areas of regionally significant agricultural production
- priority living areas (PLA) – areas to protect land required for growth of towns from incompatible resource activities
- strategic environmental areas (SEA) – areas containing regionally significant environmental attributes; and
- strategic cropping areas (SCA) – an area that includes land that is, or likely to be, highly suitable for cropping due to a combination of soil, climate and landscape features.

Please note within RA 442 the dominant Agricultural Land Classification (ALC) is C2 pastureland - native pasture. There is also some strategic cropping land. Further information can be referenced in the RA442 Information Memorandum (Appendix F) at Section 2.4.4 - Land Use.

A resource activity includes an activity for which a resource authority is required or an activity that is authorised under a resource authority or proposed resource authority.

A Regional Interests Development Approval (RIDA) may be required if a resource or regulated activity is proposed to be within an area of regional interest.

In certain instances, proposed resource activities and regulated activities are exempt from seeking a regional interests development application. Sections 22 – 25 and 99 of the RPI Act outline circumstances when these exemptions may apply.

Further information on RPI Act requirements can be found in Table 3 below.

Table 3 – RPI Act references

Description	References
Department of State Development, Infrastructure, Local Government and Planning	<a href="https://planning.statedevelopment.qld.gov.au/planning-issues-and-interests/areas-of-regional-interest">https://planning.statedevelopment.qld.gov.au/planning-issues-and-interests/areas-of-regional-interest</a>
RPI Act data layers Available for downloaded in GeoResGlobe	<a href="http://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/georesglobe">www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/online-services/georesglobe</a>

### 4.2.3 Native Title

Native Title is defined as the rights and interests that are possessed under the traditional laws and customs of Aboriginal and Torres Strait Islander peoples, and that are recognised by common law.

The *Native Title Act 1993* (Commonwealth) (NT Act) sets out specified processes that must be followed for any 'future act' on land or waters that would affect native title rights and interests. Applications for most resource authorities are considered future acts and are subject to these native title processes.

RA 442 has been assessed by the department and most of the area is subject to native title. Once a preferred tenderer is appointed, the State will commence the Expedited Procedure process and propose to attach the Native Title Protection Conditions to the resource authority upon grant (subject to the proposed work program activities being considered eligible activities under an expedited procedure grant).

Alternatively, or where the proposed work program activities are not considered eligible activities under an expedited procedure grant, the preferred tenderer may reach agreement with the relevant native title parties by way of the Right to Negotiate process or an Indigenous Land Use Agreement. The preferred tenderer will be required to advise the department if they choose to nominate an alternative process to the Expedited Procedure (refer 5.7 Preferred Tenderer Obligations – Table 7).

For further information on native title processes, tenderers should refer to Table 4 below.

Table 4 – Native Title references

Description	References
Department of Resources contact for any Native Title process enquiries	<b>P:</b> +61 7 4936 0138
	<b>E:</b> <a href="mailto:nativetitleservices@resources.qld.gov.au">nativetitleservices@resources.qld.gov.au</a>
General information on native title as it relates to mining and resources	<a href="http://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/authorities-permits/applying/native-title/mining-resources">www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/authorities-permits/applying/native-title/mining-resources</a>
National Native Title Tribunal	<a href="http://www.nntt.gov.au">www.nntt.gov.au</a>

### 4.2.4 Land Access

Queensland's land access laws seek to balance the rights of landholders and resources authority holders in relation to resource exploration and development activities. Following the granting of an EPM, the exploration resource authority holder must address land access requirements.

An exploration resource authority holder is not able to enter private land to undertake preliminary activities without first having provided the landholder(s) with an entry notice 10 business days prior to entry. This is considered a minimum requirement, and active early engagement with landholders well in

advance of proposed activities is strongly encouraged. For further details regarding notification requirements, refer to ‘A guide to land access in Queensland’ (Table 5).

An exploration resource authority holder is also not able to enter private land to conduct advanced activities unless they have entered into a conduct and compensation agreement, deferral agreement or opt-out agreement with the affected landholder(s). Examples of advanced activities include ground levelling of drilling pads, bulk sampling, trenching, vegetation clearing, construction and geophysical surveying with physical clearing.

Additionally, if the negotiation process for a conduct and compensation agreement is unsuccessful and an application is made to the Land Court for determination, the exploration resource authority holder may enter land 10 business days after giving an entry notice.

These laws also require all exploration resource authority holders to comply with the conditions of the Land Access Code 2016 (The Code).

The Code states best practice guidelines for communication between resource companies and landholders and imposes mandatory conditions on exploration resource authority holders conducting activities on private land. These mandatory conditions relate to key concerns landholders have regarding access points, giving notice, use of roads and tracks, biosecurity management, items brought onto land and activities conducted around livestock and property.

In addition, the Office of the Land Access Ombudsman has been established to improve the land access framework. The Land Access Ombudsman provides a free, independent dispute resolution service for landholders and resource companies. It investigates breaches of conduct and compensation agreements and makes recommendations to resolve the dispute. More information is available at [www.lao.org.au](http://www.lao.org.au).

**Preliminary analysis indicates:**

- there are 32 landholders within tender area MLR2023-1-1

For further information on Land Access requirements, tenderers should refer to Table 5 below.

Table 5 – Land Access references

Description	References
Land Access Code 2016	<a href="http://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/accessing-private-land/land-access-code">www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/accessing-private-land/land-access-code</a>
A guide to land access in Queensland	<a href="http://www.resources.qld.gov.au/_data/assets/pdf_file/0018/1442223/guide-to-land-access-in-queensland.pdf">www.resources.qld.gov.au/_data/assets/pdf_file/0018/1442223/guide-to-land-access-in-queensland.pdf</a>
General information on land access	<a href="http://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/accessing-private-land">www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/accessing-private-land</a>

### 4.2.5 Overlapping tenure

Queensland’s resources framework includes provisions for managing overlapping tenures.

Tenderers must satisfy themselves as to the existence of overlapping tenures and the statutory obligations arising under the MRA in any area subject to an overlapping tenure. Tenderers may wish to include information in their work program addressing their proposed approach to dealing with overlapping tenure.

Maps of overlapping tenure are available on the department’s GeoResGlobe spatial mapping system – refer to link in Table 1.

**Preliminary analysis indicates:**

- there is no overlapping tenure for tender area MLR2023-1-1

**Note:** three mining access MLs intersect with the release area.

#### 4.2.6 Disqualification

Potential tenderers are required to advise if they, or an associate, identifies with any of the disqualifying matters listed under section 196C(2) of the *Mineral and Energy Resources (Common Provisions) Act 2014* (MERC Act). It is the responsibility of the applicant to notify the department should the tenderer, or their associates status changes in relation to section 196C(2) of the MERC Act.

This information is required so that the decision maker can decide whether the tenderer should be disqualified from being granted a prescribed resource authority, pursuant to section 136EA of the MRA and 196C(1)(b) of the MERC Act.

The disqualification criteria are intended to allow the state to better assess the risk of applicants not being able to adequately manage their resource authority and their ability to remain compliant with their resource authority obligations. This will mitigate the potential risk that the area may be disclaimed or left with other outstanding debts through an upfront assessment of the applicant's suitability to hold a resource authority.

The assessment of disqualifying matters is described more fully in the 'Operational Policy: Disqualification criteria and assessment' available at [www.resources.qld.gov.au/online-applications/remote-content?a=109113%3Apolicy\\_registry%2Foperational-policy-disqualification-criteria-and-assessment.pdf](http://www.resources.qld.gov.au/online-applications/remote-content?a=109113%3Apolicy_registry%2Foperational-policy-disqualification-criteria-and-assessment.pdf)

#### 4.2.7 Human rights

The department is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. To the extent an act or decision under this document may engage human rights under the *Human Rights Act 2019*, regard will be had to that Act in undertaking the act or making the decision.

### 4.3 Proposed Additional Condition for the EPM

#### 4.3.1 Wolfram Camp re-commercialisation viability report

It is proposed that an EPM granted as a result of this Call for Tender will be subject to the following additional condition as defined under section 141(1)(j) of the MRA:

The holder of an EPM granted from tender MLR2023-1 must provide within three years of the grant of the tenure, or at another time determined by the Minister, a report to the Minister detailing the assessment of viability for re-commercialising mining activities at the Wolfram Camp abandoned mine site. The report must align with the standard stipulated in the JORC Code (Australasian Code for Reporting of Exploration Results, Minerals Resources and Ore Reserves) for a Scoping Study.

For reference section 38 of the JORC Code states 'A Scoping Study is an order of magnitude technical and economic study of the potential viability of Mineral Resources. It includes appropriate assessments of realistically assumed Modifying Factors together with any other relevant operational factors that are necessary to demonstrate at the time of reporting that progress to a Pre-feasibility Study can be reasonably justified.'

## 4.4 Reporting requirements for the EPM

Tenderers should note EPM holder reporting obligations under the MRA section 178A and the Mineral Resources Regulation 2013 section 13 to provide annual activity reports to the Minister. Further information regarding activity reporting is provided in the Mineral and Coal Reporting Practice Direction available here: [https://www.resources.qld.gov.au/data/assets/pdf\\_file/0019/1512073/reporting-practice-direction-minerals-coal.pdf](https://www.resources.qld.gov.au/data/assets/pdf_file/0019/1512073/reporting-practice-direction-minerals-coal.pdf)

## 5. Tender Process

### 5.1 Call for Tenders

The competitive tendering process for an EPM is governed by the MRA and the Minerals Resources Regulation 2013 (the Regulation).

Section 136A (2) of the MRA provides that the Minister may publish a gazette notice (a call for EP (non-coal) tenders) inviting tenders for an exploration permit. Notwithstanding anything stated in the Call for Tenders, the tender document or associated documents, all tenderers must satisfy themselves as to all legislative requirements relevant to their tender.

Eligible persons are invited to submit a tender for a proposed EPM released under the Call for Tenders MLR2023-1.

**Note:** Eligible person is defined under the MRA and means

- (a) other than for chapter 5, part 2 and chapter 6, part 2—  
an adult; ii) a company or (iii) a local government that acquires a mining claim or mining lease under the *Local Government Act 2009* for overdue rates and charges; or (iv) an educational institution the Minister treats as an eligible person under section 7; and
- (b) for chapter 5, part 2 and chapter 6, part 2—a person who is a party to an Aurukun agreement with the State.

### 5.2 Governance and Probity

The department leads the competitive tendering process for the grant of an EPM. The tender process is subject to strict probity requirements.

A probity advisor is used by the department to ensure the competitive tendering process is conducted in accordance with the approved probity framework.

Department officers may in the course of their work inform others about the Call for Tenders and tender documents however any questions regarding the Call for Tenders or the tender process should be directed to the Exploration, Tendering and Reform team as set out in Table 1.

**Note:** Tenderers must comply with strict confidentiality requirements as stated in section 7.15 of this tender document, which includes the following requirement:

- The tenderer must not make any public or media statement in relation to the tender process or the outcome of the tender process, any proposed EPM or any other matter referred to in the tender documents without the prior written consent of the State.

Failure to comply strictly with confidentiality requirements of this call for tenders may result in the Minister exercising their discretion to refuse to receive, process or consider the tender.

### 5.3 Obtaining Tender Documents

Potential tenderers and interested parties must register on [QTenders](#) to download the tender document and related files by searching for 'MLR20231'.

Registration via QTenders enables potential tenderers and interested parties to be kept informed and updated via email by the Exploration, Tendering and Reform team until the Call for Tenders closes. This may include any variations to the Call for Tenders, questions from potential tenderers and interested parties and the responses from the department.

A hard copy of this document and the Call for Tenders (Gazette Notice) can be viewed by appointment at 1 William Street, Brisbane. Please contact the Exploration, Tendering and Reform team via email to [resources-tenders@resources.qld.gov.au](mailto:resources-tenders@resources.qld.gov.au) to arrange an appointment.

## 5.4 How to submit a tender

In order to make a tender submission, tenderers must follow the steps outlined below:

1. Complete the tender application form (**Appendix B**) and the response templates (**Appendix C**) for the tender area.

**Note:** The tender must be for the whole area of the proposed EPM (not part).

2. Obtain proof of identity for the tenderer.

**Note:** For each company: Proof of identity in the form of a copy of a current company certificate issued by the Australian Securities and Investments Commission is required.

Individuals: Proof of identity in the form of a copy of a current driver licence or passport is required.

3. Obtain a letter of authority for the authorised holder representative (if applicable).

**Note:** A letter of authority signed by the holders for the EPM for the authorised holder representative to act on their behalf is required.

A letter of authority is not required if the holder is an individual and representing themselves.

4. Pay the application fee in the amount of A\$1,360.00 for the tender area applied for via electronic funds transfer.

**Note:** The application fee for an EPM is prescribed in Schedule 5 of the Mineral Resources Regulation 2013. Please refer to: [Mineral Resources Regulation 2013 \(legislation.qld.gov.au\)](https://www.legislation.qld.gov.au)

The application fee must be paid via electronic funds transfer to the following account:

**Bank:** Commonwealth Bank of Australia

**BSB:** 064-013

**Account number:** 10041702

**Account name:** Department of Resources – Administered

**Swift code:** CTBAU2S

**Reference number:** MLR2023-1-1

5. Complete the tender checklist (Appendix E).
6. Upload the documents listed in the tender checklist to QTenders in PDF format.

**Note:** Documents should be compiled and uploaded using the naming convention outlined in Table 6 below.

7. Submit tender on QTenders before the closing time.

**Note:** Once your tender has been submitted, please retain a copy of the QTenders submission receipt.

For any technical issues relating to the QTenders system and/or uploading your tender, please contact QTenders directly:

**Phone:** +61 (7) 3215 3699

**Email:** [BSU@epw.qld.gov.au](mailto:BSU@epw.qld.gov.au)

**Business hours:** 8.30am to 5pm AEST, Monday to Friday, excluding public holidays

Table 6 – Tender submission naming convention

Document name	Document content
General.pdf	<ul style="list-style-type: none"> <li>• Completed tender application form</li> <li>• Proof of identity of tenderer</li> <li>• Letter of authority for the authorised holder representative (if applicable)</li> <li>• Payment advice/receipt for the application fee</li> <li>• Completed tender checklist</li> </ul>
Response Section 621.pdf	<ul style="list-style-type: none"> <li>• Completed response template for section 6.2.1</li> <li>• All supporting documents to response for section 6.2.1</li> </ul>
Response Section 622.pdf	<ul style="list-style-type: none"> <li>• Completed response template for section 6.2.2</li> <li>• All supporting documents to response for section 6.2.2</li> </ul>
Response Section 623.pdf	<ul style="list-style-type: none"> <li>• Completed response template for section 6.2.3</li> <li>• All supporting documents to response for section 6.2.3</li> </ul>
Response Section 624.pdf	<ul style="list-style-type: none"> <li>• Completed response template for section 6.2.4</li> <li>• All supporting documents to response for section 6.2.4</li> </ul>

## 5.5 Timing

The timing for the tender process is set out in Table 1. The Minister may, with absolute discretion, vary the timing. Any changes to the timing will be communicated to tenderers via QTenders.

## 5.6 Tender Evaluation Process

A summary of the evaluation activities, and how they fit into the evaluation phases, is illustrated in Figure 4 below.

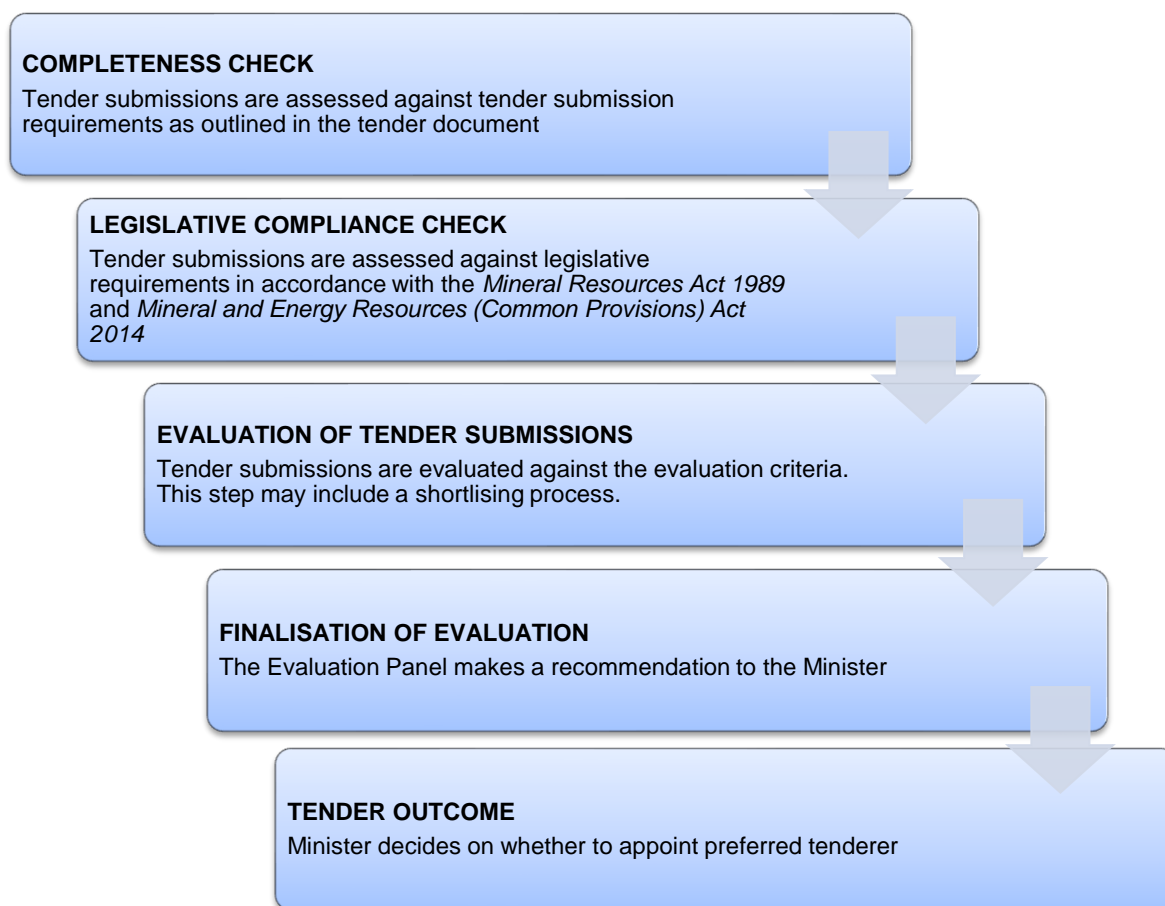


Figure 4: Tender evaluation process flow chart

Each conforming tender (i.e., each tender that has been deemed as acceptable from the completeness and legislative compliance check) will be evaluated as follows:

- The evaluation panel will assess each conforming tender against the evaluation criteria.
- Weightings will be used to calculate a weighted score for each criterion. The weightings for the criteria are listed in Table 8.
- The weighted scores will be totalled to calculate an overall score for each conforming tender.
- The evaluation panel will then rank tenders from highest to lowest score, having regard to providing the best outcome for the State.
- The evaluation panel will also assess all tenderers as either suitable or unsuitable for appointment as preferred tenderer for the tender area (note: if a tenderer is assessed as being unable to meet any of the scoring evaluation criteria, the tender may not be evaluated any further and the evaluation panel may assess the tenderer as unsuitable for the tender area).
- The evaluation panel will recommend the highest ranked suitable tenderer for the tender area to be appointed as preferred tenderer.

**Note 1:** The evaluation panel may undertake a short-listing process and request more information from the short-listed tenderers as part of the short-listing process. Any information provided by tenderers in response to the short-listing process will be used to assess and score the tenders against the evaluation criteria and in assessing tenderers as either suitable or unsuitable for appointment as preferred tenderer.

**Note 2:** If no tenderer is assessed as suitable, the panel may not recommend an appointment for the tender area.



Other ranked tenderers will be recommended as suitable or unsuitable for appointment as preferred tenderer should the recommended preferred tenderer appointment not proceed or be revoked.

Following the evaluation process the evaluation panel will make a recommendation to the Minister on the outcome of the tender evaluation process including whether to appoint a preferred tenderer for the tender area.

## 5.7 Preferred Tenderer Obligations

Following the completion of the tender evaluation process and the Minister’s or delegated officer’s decision to appoint a preferred tenderer, the successful tenderer will be notified in writing on a confidential basis of its preferred tenderer status prior to a public announcement of the tender outcome.

The written notice will outline requirements that the preferred tenderer will have to fulfil within set timeframes. These include, but are not limited to, the obligations outlined in Table 7.

Table 7 – Preferred Tenderer Obligations

Description of activity	Timeframe
Provide written acceptance to the department to proceed as preferred tenderer for the tender area.	Within 10 business days from the date of the written notice.
Provide security for the proposed EPM as prescribed under the MRA	
Pay rent for the first year of the proposed EPM.	
For any EPM including land or waters subject to native title, provide written notice to the department if the preferred tenderer intends to nominate if an alternative process to the Expedited Procedure, and whether the alternative process will be: <ol style="list-style-type: none"> <li>1. the Indigenous Land Use Agreement (ILUA) process; or</li> <li>2. the Right to Negotiate (RTN) process.</li> </ol>	Within 15 business days after the date the award of the preferred tenderer is made public by the Minister or the department.
Provide the department’s Mineral Assessment Hub with progress reports about the actions that have been taken to address the requirements the preferred tenderer must fulfil before the Minister can make a decision about granting, or refusing to grant, an EPM (the Relevant Requirements).  Each progress report must be given using a form approved by the department (the department will give the approved form to the preferred tenderer when the tenderer is notified of its appointment as the preferred tenderer.)	Every six months following the date of appointment of the tenderer as the preferred tenderer, until the: <ol style="list-style-type: none"> <li>i. preferred tenderer appointment is revoked, or</li> <li>ii. Minister makes a decision about granting, or refusing to grant, an EPM to the preferred tenderer.</li> </ol>

## 5.8 Preferred Tenderer Status – Reporting and Revocation

### 5.8.1 Progress reporting and requests for further information

In addition to the progress reporting obligation outlined in Section 5.7, the department may issue a notice to the preferred tenderer that requires the tenderer to provide further information within a stated

reasonable period about any matters that are relevant to a progress report and any actions that have been taken to address the pre-grant requirements. The preferred tenderer must provide the requested information to the satisfaction of the person who gave the notice by the stated time frame or an extended time frame that the person who gave the notice has agreed to.

### **5.8.2 Revocation of preferred tenderer appointment**

A preferred tenderer's appointment may be revoked and another preferred tenderer appointed, if the preferred tenderer does not:

- comply with a requirement under section 136J(1) of the MRA (as applied by s136A of the MRA), or,
- do all things reasonably necessary to allow an EPM to be granted to the preferred tenderer, including progressing applications for required approvals.

Before the preferred tenderer's appointment is revoked, the Minister will give the preferred tenderer a reasonable opportunity to provide reasons for, and to rectify, the failure to comply with the pre-grant requirements under section 136J(1) of the MRA or other things reasonably necessary to enable an EPM to be granted in accordance with s136(J)(3) of the MRA.

## **5.9 Feedback to unsuccessful tenderers**

The department recognises the effort and financial investment incurred in preparing a tender.

Unsuccessful tenderers will be notified in writing of the outcome of the competitive tendering process.

After the appointment of a preferred tenderer, the department may offer an opportunity for unsuccessful tenderers to attend individual tender debriefing sessions. These individual sessions are aimed at:

- providing feedback to tenderers on their tender submission, and
- allowing tenderers to provide feedback to the department regarding the competitive tendering process.

Any feedback will be provided on an individual basis and confined to the tender submission only.

## **5.10 Grant of an EPM**

A departmental representative will assist the preferred tenderer in relation to their pre-grant requirements.

The Minister or delegated officer has the discretion to decide whether to grant an EPM and attach relevant conditions. This decision is conditional on the preferred tenderer meeting pre-grant requirements including:

- the tenderer is an eligible person
- fulfilment of the preferred tenderer obligations
- the relevant EA has been obtained
- any relevant native title process has been completed
- payment of all relevant fees and monies (including the tender security) within the stated timeframes
- other matters which the department may require (e.g., signing of a preferred tenderer's Deed)
- other matters required under the MRA.

## **6. Tender Evaluation Criteria**

This section sets out the information that each tenderer is required to provide in their tender submission for the tender area.

Further information about associated provisions of the MRA have been outlined below:

## 6.1 MRA Provisions

This section sets out the information that each tenderer is required to provide in their tender submission for the tender area.

Further information about section 136E and associated provisions of the MRA has been provided below:

### **Section 136E of the MRA relates to the requirements for making a tender.\***

**\*Note that section 136E of the MRA applies to a call for tender for an EPM by virtue of section 136A of the MRA. The word “coal” is to be read as “minerals”.**

*A tender for an exploration permit for coal must—*

- (a) be in the approved form; and*
- (b) be accompanied by a proposed work program, of the type required under section 136C(2)(f), for the term of the permit, if granted; and*
- (c) be accompanied by a statement detailing the tenderer’s financial and technical resources; and*
- (d) be accompanied by the following—*
  - (i) proof of the tenderer’s identity;*
  - (ii) the application fee prescribed under a regulation;*
  - (iii) if a process for appointing a preferred tenderer involving a cash bid component is to be used for deciding the call—the tenderer’s cash bid.*

### **136EA Rejection of tender if tenderer disqualified**

- (1) The Minister must reject a tender for an exploration permit for coal if the Minister decides the tenderer is disqualified under the Common Provisions Act, chapter 7 from being granted the permit.*
- (2) On rejection of the tender, the Minister must give the tenderer a notice about the decision.*

### **Section 136K Deciding whether to grant an exploration permit**

- (1) The Minister may, after the closing time for the call for EP (coal) tenders—*
  - (a) grant an exploration permit for coal to 1 tenderer, with or without conditions; or*
  - (b) refuse to grant any exploration permit for coal.*
- (2) However, the Minister must not grant the exploration permit unless the Minister is satisfied the prescribed criteria for the grant of the permit are met.*
- (3) Also, in deciding whether to grant an exploration permit or deciding its provisions, the Minister must consider any special criteria for the call.*

#### **6.1.1 Prescribed criteria**

##### **Section 137 Prescribed criteria for grant of exploration permit**

- (1) This section states the criteria (prescribed criteria) for the grant of an exploration permit under part 2 or 3.*
- (2) The criteria are as follows—*
  - (a) the requirements of this Act have been complied with;*
  - (b) the applicant is an eligible person;*

- (c) *the applicant has paid rental for the first year of the term of the exploration permit under section 138;*
  - (d) *the Minister has, under subsection (3), approved the program of work that accompanied the application for the exploration permit;*
  - (e) *the Minister has not, under subsection (4), decided the person is disqualified from being granted the permit.*
- (3) *In deciding whether to approve the program of work, the Minister must have regard to the following matters—*
- (a) *for a work program (activities-based)—the following matters—*
    - (i) *the extent of the proposed activities in the proposed area of the permit;*
    - (ii) *when and where the applicant proposes to carry out exploration activities in the proposed area of the permit;*
    - (iii) *whether the applicant has the financial and technical capability of carrying out the proposed activities*

For further information, please refer to the MRA available at: [Mineral Resources Act 1989 - Queensland Legislation - Queensland Government](#)

**Note:** Tenderers must note that tenders will be evaluated against the following special criteria:

**Special Criteria 1 – Environment-Social-Governance (ESG) criteria**

**Note:** It is the responsibility of the tenderer to ensure that, for the tender area:

- the tender submission complies with sections 5 and 6 of this tender document, and the requirements under section 136E of the MRA.
- independent legal advice is sought to ensure its tender submission is compliant with the tender documents and provisions of the MRA.

## 6.2 Requirements for Making Tender

Each tender must comply with the requirements of s 136E of the MRA which sets out mandatory requirements for the tender.

For each tender area, tender submissions must include the documentation required in Section 5.4. This includes the response templates (Appendix C) which must be completed to address the evaluation criteria set out in Table 8 below.

**Note:**

- Tenderer's responses must include information relating to parent entities, sub-contractors and joint-venture partners, where applicable.
- Tenderers should, where possible, demonstrate their experience in Queensland, and/or other jurisdictions to support their tender.
- The department may undertake due diligence checks internally and with other Queensland Government agencies to verify information submitted by tenderers.

Tenderers that are unable to provide details and evidence of any of the matters requested below are to provide a statement of reasons explaining their inability to do so.

Table 8 – Tender evaluation criteria and weightings

Section No.	Evaluation Criteria	Weighting (%)
6.2.1	Work program criteria – Appropriateness of the tenderer’s proposed activities-based work program	40
6.2.2	Financial capability criteria – Tenderer’s capability for carrying out the proposed activities, having regard to the tenderer’s financial resources	20
6.2.3	Technical capability criteria – Tenderer’s capability for carrying out the proposed activities, having regard to the tenderer’s technical resources	20
6.2.4	Special criteria 1 – Environment-Social-Governance (ESG) criteria	20

### 6.2.1 Matters associated with the Work Program Criteria – Appropriateness of the tenderer’s proposed activities-based work program

For guidance in responding to the criteria please also refer to [Work Program guideline \(MRA\) - A guide to preparing and lodging a proposed work program](#) published by the Department of Resources

Tenderers must provide the following:	
6.2.1.1	A list of the activities proposed to be carried out and the financial resources to be committed to exploration activities for the term of the exploration permit, as required in the Department of Resources’ <a href="#">Work Program guideline (MRA)</a> .
6.2.1.2	<p>A sufficiently detailed rationale document as required in the Department of Resources’ <a href="#">Work Program guideline (MRA)</a>, for the work program which includes statements about:</p> <ul style="list-style-type: none"> <li>• how the exploration model will significantly advance the assessment for the work program outlining the basis of prospectivity with consideration of the exploration maturity of the area;</li> <li>• when and where the exploration activities identified in the work program will be carried out in the tender area (when and where does not need to be evidenced by exact markers, the department only requires the general locality in relation to geological formations)</li> <li>• maps that show target formations and where all activities identified in the detail above are proposed to be carried out on the tender area. The map(s) must include known tenures, infrastructure, access roads, and the locations of proposed surveys, sampling programs or drilling activities. More than one map may be provided, and each map can show the location of proposed activities for the term of the exploration permit</li> <li>• details about previous exploration undertaken including any identified mineral or resources within the tender area;</li> <li>• justification for the area of the permit with respect to the proposed exploration program;</li> <li>• if the proposed permit supports other permits or forms part of a broader project, the work program must describe how it is to operate in the context of the project and clearly show the relationship of the other permits; and</li> <li>• detail on resource or infrastructure studies proposed to be carried out.</li> </ul>

Tenderers must provide the following:	
6.2.1.3	<p>A statement of how the proposed work program activities will assist delivering the Queensland Government's aspiration for re-commercialising mining activities at the abandoned Wolfram Camp mine site, and within the greater tender area.</p> <p>The statement should detail how the proposed work program will assist in the provision of a report (refer EPM condition at section 4.3) detailing the assessment of viability of re-commercialising mining activities at the Wolfram Camp mine site.</p>

## 6.2.2 Matters associated with the Capability Criteria - Tenderer's capability for carrying out the proposed activities, having regard to the tenderer's financial resources

For guidance in responding to the criteria please also refer to – [Financial and technical capability guideline](#) published by the Department of Resources.

Tenderers must provide the following:	
6.2.2.1	<p>A statement as required in the Department of Resources' <a href="#">Financial and technical capability guideline</a> including:</p> <ul style="list-style-type: none"> <li>information stating in detail your capability to fund the proposed work program</li> <li>a statement detailing the percentage of in-place or confirmed funding</li> <li>if applicable, a statement detailing the percentage that relies on future or prospective funding – the applicant should provide a recent history detailing funds successfully raised e.g. from an initial public offering.</li> </ul> <p>The statement should be from an appropriately authorised officer such as a chief executive officer (CEO) or a chief financial officer (CFO).</p>
6.2.2.2	<p>A financial commitments document as required in the <a href="#">Financial and technical capability guideline</a></p> <p>Tenderers are required to demonstrate the financial capacity to meet all current and proposed commitments. To meet this requirement, this document must outline the details of all other commitments in the Queensland resource sector and in any other jurisdiction.</p> <p>The financial commitments document is required to contain:</p> <ul style="list-style-type: none"> <li>a list of all permits held by the tenderer (as relied on in the financial capability statement), where the tenderer is a registered holder. Where the same funding is used to underwrite multiple commitments from a parent company through its subsidiaries, each permit of the other subsidiaries should also be included in the list;</li> <li>the annual budget, or budget for the term of the approved permits, for all proposed activities on permit applications currently under assessment by the department;</li> <li>the annual statutory fees for the permits, including rent, rates, and environmental authority fees; and</li> <li>the annual budget for all activities already committed to by the tenderer on granted permits in Queensland and/or other jurisdictions.</li> </ul>
6.2.2.3	<p>Supporting evidence as required in the <a href="#">Financial and technical capability guideline</a></p> <p>If a third party (for example a parent company) is providing finance on behalf of the tenderer evidence of the agreement or arrangement (for example a joint venture arrangement or agreement) and evidence of the third party financial capability must be provided.</p>

<b>Tenderers must provide the following:</b>	
	<p>The department requires at least one of the following (or equivalent) be submitted in support of your evidence of financial capability:</p> <ul style="list-style-type: none"> <li>• a letter from a bank or accountant warranting that sufficient funds are available to the tenderer to undertake the proposed work program and associated costs for this proposal and any other mining interests held by the tenderer in Queensland and / or other jurisdictions. The letter must not be older than 60 business days on the date you lodge your tender submission. Note that letters that do not provide the department with sufficient information about a person’s financial position will not be accepted as evidence. An accountant means a qualified accountant under section 88B of the Corporations Act 2001 (Cth);</li> <li>• a statement detailing the tenderer’s current assets and liabilities;</li> <li>• the most recent quarterly report to the Australian Stock Exchange;</li> <li>• the most recent half yearly financial statements;</li> <li>• an unedited copy of the balance sheet of most recent quarterly / annual report; or</li> <li>• a copy of a current bank statement – no older than 20 business days from the date you lodge your tender submission.</li> </ul> <p>Where the tenderer has over five years history as a permit holder in Queensland and / or other jurisdictions, that history may also be considered in the assessment of your tender submission to support your bid.</p>

**6.2.3 Matters associated with the Capability Criteria - Tenderer’s capability for carrying out the proposed activities for the authority, having regard to the tenderer’s technical resources**

For guidance in responding to the criteria please also refer to – [Financial and technical capability guideline](#) published by the Department of Resources.

<b>Tenderers must provide the following:</b>	
6.2.3.1	<p>A technical capability statement is required to demonstrate the tenderer/s have access to the technical capabilities required to manage and meet the proposed work. The statement should provide a summary of the tenderer’s experience, or that of the tenderer’s employees, and details of any existing programs evidencing their technical capability to meet the proposed work program. See sample 2 in the <a href="#">Financial and technical capability guideline</a>.</p> <p>The technical capability statement includes the numbers and qualifications of persons with experience in exploration and production resource operations relevant to the proposed work program. See sample 3 in the <a href="#">Financial and technical capability guideline</a>.</p>
6.2.3.2	<p>A technical commitments document as required in the <a href="#">Financial and technical capability guideline</a>.</p> <p>You may have multiple resource authorities which require commitments of technical resources or, you may have made other EP applications that appear to be underpinned by the same technical resources. When assessed as a whole, the technical capability statement may be insufficient to support the overall proposed commitment, assuming other applications are progressed.</p> <p>Tenderers are required to demonstrate the technical capability to meet all current and proposed commitments. To meet this requirement, a technical commitments document</p>

<b>Tenderers must provide the following:</b>	
	<p>must also be provided in addition to the technical capability statement. This document must outline details of all other commitments in the Queensland resource sector, and/or other jurisdictions.</p> <p>The technical capability statement should include:</p> <ul style="list-style-type: none"> <li>• a list of all permits held by the tenderer (as outlined in the technical capability statement) where the tenderer is a registered holder. Where the same technical personnel are used to perform or oversee multiple commitments from a parent company through its subsidiaries, each permit of the other subsidiaries should also be included in the list; and</li> <li>• an outline of how the technical resources are going to be coordinated over all activities proposed by the tenderer on permit applications currently under assessment by the department.</li> </ul> <p>If a third party (for example a parent company) is providing technical resources on behalf of the tenderer, a signed statement from the third party providing the technical resources needs to be attached. See sample 3 in the <a href="#">Financial and technical capability guideline</a>.</p>
6.2.3.3	<p>Supporting evidence as required in <a href="#">Financial and technical capability guideline</a></p> <p>At least one of the following must be supplied to evidence the technical capability statement:</p> <ul style="list-style-type: none"> <li>• a summary detailing the tenderer’s employees with relevant technical capabilities and/or the name and details of any specialist/consultant services to be retained by the project and details of the technical services to be provided – the summary should list qualifications, experience, membership of relevant professional bodies (e.g. AUSIMM), and membership numbers;</li> <li>• an annual report not less than six months old that contains information in relation to the technical capabilities of the tenderer;</li> <li>• statement from any third party providing technical resources;</li> <li>• a Gantt Chart for the period of the work program or development plan referencing the technical resources.</li> </ul> <p>If you are engaging a third party for the provision of technical services (such as sub-contractors), attach a statement from the third party that outlines what services are being provided to the tender submission.</p>

### 6.2.4 Matters associated with Special Criteria 1 - Environment-Social-Governance (ESG)

<b>Tenderers must provide the following:</b>	
6.2.4.1	<p>A statement about the tenderer’s commitment to and experience in Environment-Social-Governance (ESG), including the tenderer’s approach to:</p> <ul style="list-style-type: none"> <li>• community consultation</li> <li>• environmental management</li> <li>• health and safety management</li> <li>• cultural heritage management</li> <li>• meeting Native Title requirements</li> </ul>
6.2.4.2	<p>Within the last five (5) years, details of any resource authorities held by (or in part by) the tenderer that were revoked for non-compliance including any material non-</p>



Tenderers must provide the following:	
	compliance with initial work program commitments and non-payment of fees and royalties
6.2.4.3	<p>Within the last five (5) years, a summary of any non-compliance and investigations (including any enforcement action undertaken) by regulatory authorities in Queensland or other jurisdictions in relation to:</p> <ul style="list-style-type: none"> <li>• environmental legislation</li> <li>• health and safety legislation</li> <li>• cultural heritage legislation</li> <li>• Native Title legislation</li> </ul>

**Note:**

Tenderer's responses to the criteria must include information relating to parent entities, sub-contractors and joint-venture partners, where applicable.

## 7. Tender Conditions

### 7.1 Statutory framework

1. The tender process is conducted by the Minister under and in accordance with the MRA and the associated Regulation.
2. All tenders are subject to and must comply with the MRA and Regulation and tenderers must satisfy themselves in relation to requirements for compliance with the MRA and Regulation.
3. To the extent of any inconsistency, the requirements of the MRA and Regulation prevail over these Tender Conditions.

### 7.2 Application of Tender Conditions

1. By participating in the tender process, and submitting a tender, the tenderer acknowledges and agrees to be bound by the Tender Conditions.
2. Except to the extent the Minister expressly agrees otherwise, the Tender Conditions shall continue to apply to any process that the Minister may undertake in connection with the selection of the preferred tenderer or granting an EPM (including without limitation, any process involving the reissuing of the Call for Tenders, shortlisting of tenderers or negotiations with any of the tenderers).

### 7.3 Tenderer to acquaint itself before tendering

#### 7.3.1 General

By submitting a tender, the tenderer confirms it has and shall be deemed to have:

1. examined and fully acquainted itself with:
  - a. the tender documents and any documents and information referred to in the tender documents
  - b. any other information made available by the Minister, or on the Minister's behalf to the tenderer, for the purpose of tendering
2. examined all information relevant to the risks, contingencies and other circumstances having an effect on the proposed EPM or this tender and which is obtainable by the making of reasonable enquiries
3. satisfied itself as to all matters and things relevant to the proposed EPM, the granting of an EPM, the responsibilities of an EPM holder and the tenderer's tender including without limitation:
  - a. the tender documents or any information provided or made available by or on behalf of the department (including information in the tender documents)

- b. the risks, contingencies and other circumstances having an effect on its tender or the EPM
- c. the area(s) of the proposed EPM(s) and its surroundings
- d. the correctness and sufficiency of its tender.

### **7.3.2 Disclaimer**

Any information provided to the tenderer by or on behalf of the Minister in relation to the Call for Tenders and the proposed EPM, including as part of the tender documents or otherwise (State Supplied Information) is provided on an 'as is' basis and the department makes no representations, provides no guarantee and offers no warranty to any tenderer that the State Supplied Information will be:

1. complete, accurate, correct or adequate; or
2. continuously available or free of any fault.

## **7.4 Tender Costs and Fees**

The tenderer must bear its costs of:

1. preparing its tender
2. responding to any requests from the Minister
3. compliance with any other obligation imposed by the tender documents or the grant of preferred tenderer status

The tenderer acknowledges that all application fees are non-refundable (whether the tender is accepted or rejected or whether the tender was submitted or received).

## **7.5 Contents of Tender Lodgement**

### **7.5.1 Form of tender**

Each tender must be submitted in the manner and format and within the time set out in the Call for Tenders and the tender documents.

### **7.5.2 Late tenders**

Any tender not submitted before the closing time will be rejected.

### **7.5.3 Opening of tenders**

Tenderers or their representatives are not entitled to be present at the opening of tenders.

### **7.5.4 Non-compliant tenders**

Subject to the requirements of the MRA, the Minister may reject any tender which is not submitted in accordance with the MRA or the tender documents.

Nothing in this section limits the ability of the Minister to request a tenderer rectify minor or administrative errors or omissions in a tender that had otherwise been submitted in accordance with the MRA and the tender documents. The request may be subject to any conditions the Minister considers appropriate including a requirement to respond within a prescribed timeframe.

### **7.5.5 Reliance on information**

By submitting a tender, the tenderer:

1. warrants that all information provided to the department in relation to this Call for Tenders is true, accurate and complete as at the date on which it is submitted, is not misleading in any material respect, and may be relied on by the department;

2. undertakes to promptly advise the department if it becomes aware of any change in circumstances that causes the information contained in its tender to become inaccurate or incomplete in a material respect; and
3. acknowledges that the department will rely on the above warranty and undertaking when evaluating the tender.

## **7.6 Retention of Security**

If a tender is withdrawn after preferred tenderer status is granted or preferred tenderer status is revoked, the Minister reserves the rights under the MRA to retain the whole or part of any tender security given by the tenderer where he considers it is reasonable in the circumstances.

## **7.7 State's Consideration of Tenders**

Subject to the Tender Conditions, the State shall consider any tender that complies with and is lodged in accordance with these conditions and the MRA.

## **7.8 Acceptance of Tenders**

### **7.8.1 The Minister's discretion**

1. The Minister may, in using absolute discretion, accept any tender or no tender.
2. The Minister may accept only part of any tender.
3. If no tender is accepted, the Minister may terminate the tender process or proceed in such manner as the Minister may choose.

### **7.8.2 Notification of appointment of preferred tenderer**

1. The preferred tenderer for any EPM will be notified on a confidential basis of its appointment.
2. The preferred tenderer must give notice to the Minister that it accepts the appointment within 10 business days of the date of the written notice.
3. The Minister may select another tenderer as preferred tenderer, if the notice of acceptance is not received within that period or in the event that preferred tenderer status is later revoked in accordance with s136J(4) of the MRA.

### **7.8.3 Notification of successful tender**

The Minister may notify all unsuccessful tenderers of the appointment of the preferred tenderer and the date of acceptance of the successful tender.

## **7.9 Collusive Tendering**

1. By participating in this Call of Tenders, each tenderer warrants that:
  - i. their respective tender submissions have not been prepared in collusion with another tenderer; and
  - ii. it will not engage in misleading, deceptive or improper conduct during the tender process.
2. The department may exclude a tenderer from the tender process if a breach of these warranties occurs.
3. The department reserves the right to report suspected collusion or anti-competitive behaviour to the appropriate authority, and to give that authority all relevant information available to the department.

## **7.10 Communication with the Minister or the Department**

1. The tenderer must not influence or offer inducements, solicit or communicate with the Minister or any person representing the Minister or the State about the tender or the tender process except in the manner prescribed in Table 1.

2. Unauthorised communication with department officers or representatives of the Minister or the State about the tender or the tender process may lead to disqualification of the tenderer and the rejection of its tender.

All queries in relation to this tender should be made to the key contact as detailed in Table 1.

### **7.11 Conflict of Interest**

1. Tenderers must avoid any actual or potential conflict of interest or their potential involvement during the competitive tendering process, including (without limitation) place itself in a position which may have given, or did give rise to a conflict of interest or a potential conflict of interest during the competitive tendering process or in relation to their potential involvement in the Call for Tenders process.
2. Tenderers are responsible for advising the Exploration, Tendering and Reform team as to any conflict of interest or a potential conflict of interest during the tender process or in relation to their potential involvement in the tender process.
3. Tenderers undertake to promptly inform the Minister of any actual or potential conflicts that may arise after lodgment of a tender.
4. The State reserves the right, in its absolute discretion, at any stage to undertake investigations to satisfy itself that there are no conflicts of interest or potential conflicts of interest which may preclude a tenderer from becoming the preferred tenderer.

### **7.12 Ownership of Tender**

Once submitted, the tender and all associated documents become the property of the Queensland Government and will not be returned.

Intellectual property rights in the tender submission remain the property of the relevant tenderer or its licensors, and the tenderer grants to the department a non-exclusive, royalty-free licence to retain, use, copy and disclose information contained in the tender submission for any purpose related to this Call of Tenders, including keeping appropriate records.

### **7.13 Preferred Tenderer's Deed**

If appointed as preferred tenderer, the Minister may require the tenderer to sign a deed on terms reasonably required by the Minister to give effect to the preferred tenderer's tender and its proposed initial work program.

### **7.14 Requests for Information or Clarification by Tenderers**

1. If a tenderer has any doubt about the meaning of any of the tender documents, or requires further information to ensure its clear understanding of the nature and extent of the successful tenderer's obligations under the contract, it is to contact the Exploration, Tendering and Reform team as set out in Table 1 of the tender document.
2. The Minister or delegated authority in using absolute discretion is not obliged to (and reserves the right not to) answer all request for clarification(s).
3. The department will publish all answers and any additional information on the QTenders website which can be viewed by all potential tenderers. The identity of the questioner will not be disclosed.
4. The department may publish variations (modifications) on the QTenders website or insert questions and answers of its own in order to provide clarifications. Any variations to the tender documents will become part of the tender documents upon being posted on the QTenders website.
5. Tenderers should register on the QTenders website to ensure they are informed of questions, answers and variations to the tender documents.
6. The department may contact tenderers after the closing date where that is considered necessary for purposes which may include, but are not limited to, the following:
  - i. clarification

- ii. seeking more information
- iii. any other relevant information to enable the assessment of the tender.

## **7.15 Confidentiality**

### **7.15.1 Disclosure by the tenderer**

1. The tenderer acknowledges and agrees that it will at all times (including after the completion or termination of the tender process) keep confidential and not disclose to any person, copy, use or otherwise deal with for any purpose, any information regarding its tender, the tender application package, the proposed EPM or the State (including its business or activities in relation to the tender) except to the extent:
  - i. the tenderer is specifically authorised in writing by the Minister
  - ii. the information is necessarily disclosed to and used by others (who are also bound to keep the information confidential) for the purposes of enabling the tenderer to prepare a tender.
2. The tenderer must not make any public or media statement in relation to the tender process or the outcome of the tender process, any proposed EPM or any other matter referred to in the tender documents without the prior written consent of the State.
3. The tenderer must:
  - iii. notify the department immediately if it becomes aware of any unauthorised disclosure, copying or use of confidential information (suspected or actual);
  - iv. immediately take all reasonable steps to prevent or stop any such suspected or actual unauthorised disclosure, copying or use of confidential information (including complying with directions of the department in this regard); and
  - v. take all reasonable steps to recover any confidential information that has been disclosed, used or copied without the department's consent under the Tender Conditions.

### **7.15.2 Disclosure by the Minister or the State**

The tenderer acknowledges and agrees that the Minister may, without the consent of the tenderer:

1. disclose information contained in the tender to other Ministers, department officers, consultants and advisers as may be necessary to evaluate any tender received
2. seek information as necessary from third parties and regulatory agencies
3. make public statements about the tender process including the appointment of a preferred tenderer.

## **7.16 Privacy Notice**

The department is collecting information from potential tenderers for the purpose of administering the Call for Tenders and any subsequent grant of an EPM following the Call for Tenders process. Such information may be made publicly available and shared with Queensland Government agencies and bodies, non-government organisations and other governments in Australia for that purpose.

## **7.17 Right to Information**

1. The tenderer acknowledges that any information provided in the tender may be subject to disclosure under and in accordance with the Right to Information Act 2009 (Qld).
2. If disclosure of its tender would be of substantial concern to a tenderer, all documents forming the tender must be marked 'Commercial in Confidence'. The tenderer will be consulted in accordance with the Right to Information Act 2009 (Qld) before any disclosure.

## **7.18 Governing Law**

The tender documents are governed by and must be construed in accordance with the laws of Queensland and the parties unconditionally submit to the non-exclusive jurisdiction of the courts of Queensland (and courts of appeal from them).

## 7.19 Validity of Tender

The tenderer agrees that its tender will remain open for acceptance until the grant of the EPM or the termination of the tender process unless the tender is withdrawn in accordance with the MRA.

## 7.20 Amendments to Tender Documents or Processes

The Minister may (in using absolute discretion) at any time:

1. before the closing time by a revision issued on the website:
  - a. amend the tender documents
  - b. extend the closing date for lodgement of tenders
2. suspend or terminate the tender process or any aspect of it.

## 7.21 Tender Process

Subject to, but without limitation of any power under, the MRA and Regulation, the Minister may, using absolute discretion (but shall be under no obligation to):

1. regard all tenderers as equal (i.e., provide all tenderers any further information provided to a particular tenderer)
2. investigate any tenderer's capacity and resources to fulfil the obligations of an EPM holder
3. refuse to receive, process or consider any tender that:
  - a. is lodged by any means other than in accordance with the Tender Conditions
  - b. does not conform strictly with the Tender Conditions in any respect
  - c. includes any conditions, assumptions, clarifications or exclusions
4. in its evaluation and assessment of tenders:
  - a. do any of the following if the Minister considers any tender to be ambiguous, erroneous or incomplete -:
    - i. refuse to consider the tender
    - ii. request further information from the tenderer
    - iii. request the tenderer to amend its tender
  - b. where a cash bid component is applicable – not accept the highest priced tender or highest cash bid or any tender at all
  - c. take into account any information from its own or other sources
  - d. accept or reject any tender at any time irrespective of the extent to which it satisfies any particular evaluation criteria
  - e. give preference to any one or more of the evaluation criteria over another to achieve the best outcome for the State
  - f. change the nature of or omit any stage or add additional stages to the tender evaluation process.
5. at any time:
  - a. decide not to accept a tenderer's tender for the grant of an EPM
  - b. decide not to proceed with the granting of an EPM
  - c. before the granting of an EPM re-issue a Call for Tenders
  - d. pre-qualify, shortlist, prefer or enter into negotiations with any one or more tenderers before appointing a preferred tenderer
  - e. amend the area, term or conditions of an EPM prior to grant.

## 7.22 Discretion Not Fettered

Every tenderer acknowledges that:

1. the Minister gives no warranty and makes no representation as to the way he, the State or any other person may exercise any discretion relevant to any aspect of an EPM or the tendering process
2. nothing in the tender documents or any information that may be provided in association with it fetters the Minister's power to exercise any discretion whether to grant (whether in whole or part),

grant subject to conditions, or refuse to grant an EPM, or any discretion or other powers or actions whatsoever

3. the Minister's decision under the tender process is final, and no review applications will be accepted.

## **7.23 Tenderer's Further Assistance**

The tenderer must:

1. execute all such further documents and do all acts and things required by the Minister for the purposes of giving effect to these Tender Conditions
2. provide such additional information or clarification as may be required by the Minister
3. must do all things reasonably necessary to assist the State's evaluation of tenders or granting of an EPM.

## **7.24 Information Requests by the Minister**

1. The tenderer must provide, after the opening of tenders, all additional information requested by the Minister for evaluation of the tender, which information will form part of the tender.
2. After the closing time, the Minister may notify the tenderers, or any of them, of a place and time for an interview between the tenderer and the Minister.
3. If the Minister notifies a tenderer of a requirement to attend an interview in accordance with this clause, the tenderer must:
  - i. attend at the time and place specified by the Minister
  - ii. be represented by representatives familiar with all details of the tender and authorised to make any decision on behalf of the tenderer.

## **7.25 Post Tender Negotiations**

### **7.25.1 Negotiations**

After the closing time, the Minister may short-list a preferred tenderer or tenderers and negotiate with one or more tenderers about the terms of their tenders, including negotiations to:

1. amend the tender
2. amend the proposed EPM
3. enter into any other discussions and negotiations necessary for grant of an EPM.

### **7.25.2 Best and final offer**

The Minister may require one or more tenderers to submit a best and final offer as part of the negotiation process.

### **7.25.3 The Minister not obliged**

The Minister is not obliged to reissue the Call for Tenders, or in any other way provide an opportunity to any tenderer to amend or re-submit its tender, irrespective of:

1. any tender submitted by any tenderer
2. any request for any one or more tenderers to submit a best and final offer
3. any best and final offer submitted by a tenderer
4. any matter arising out of the discussions and negotiations with the preferred tenderers.

### **7.25.4 Unsuccessful post tender negotiations**

Without limiting the operation of s136J of the MRA, if any discussions, negotiations or approvals associated with the preferred tenderer EPM grant is unsuccessful, the Minister may:

1. enter into discussions and negotiations with any new preferred tenderers relying and based on the state of discussions with any of the previous preferred tenderers
2. appoint one or more new preferred tenderers without reissuing the tender.

## 7.26 Changes

The Call for Tenders shall not under any circumstances be taken to create an implication that there was or will be no material change in the affairs, the operations or status of the State or any other government parties. While every care is taken to provide correct and up-to-date information in the tender documents, neither the Minister nor any government party will not be responsible for any errors, inaccuracy or omissions in the tender documents, nor will they have any responsibility to inform any recipient of the Call for Tenders or other tender documents of any matter or information coming to their attention, which may affect any other matter or information contained or referred to in the tender documents.

## 7.27 Tenderer's Warranties

The tenderer warrants that, it has, at the time of submission of its tender:

1. not entered into any agreement with other tenderers as to who should be the successful tenderer
2. not been involved in the exchange of information with other tenderers about the tender.

## 7.28 Exclusion of Claims Against the Minister and the State

The tenderer acknowledges and agrees that:

1. the Minister's only obligations to the tenderer (including with respect to the tender process) are those expressly set out in these Tender Conditions or under the MRA.
2. it shall have no entitlement to make any claim for:
  - a. any costs, expenses or other liabilities incurred by the tenderer in preparing or submitting a tender or otherwise in connection with the Tender Conditions or this Call for Tender (whether or not a tender is lodged by the tenderer or the tenderer's tender is accepted) including any costs, expenses, or other liabilities incurred by the tenderer in providing any further information or in carrying out any further work at the request of the State; or
  - b. any costs, losses, expenses, damages or other liabilities it may suffer or incur as a consequence of the tender process
3. it releases the Minister and the State and its employees, agents and contractors from all claims (whether under the law of tort, submission or otherwise) arising from or in connection with:
  - a. the tender documents or any information provided by or on behalf of the Minister (including due to incompleteness, errors, discrepancies or other inadequacy)
  - b. the Minister or the State exercising any discretions conferred by the Tender Conditions or the MRA or Regulation
  - c. any costs, expenses or liabilities incurred by the tenderer in obtaining the tender documents (or any other related documents) from the Minister
  - d. any of the matters or things relevant to the proposed EPM in respect of which the tenderer must satisfy itself under the Tender Conditions
  - e. any costs, expenses or other liabilities incurred by the tenderer in preparing a tender or otherwise in connection with the tender (whether or not a tender is lodged or accepted by the Minister) including any costs incurred by the tenderer in providing any further information or carrying out any further work at the request of the Minister.

## 7.29 No Reliance

The tenderer acknowledges and agrees that:

1. all State Supplied Information is provided in good faith and only for the tenderer's convenience
2. it has not relied and will not rely upon the State Supplied Information for any purpose, including but not limited to determining whether or not to lodge a tender or preparing its tender
3. the State does not assume any responsibility for, duty of care in respect of, give any warranty or guarantee or make any representations as to State Supplied Information (including in respect of its accuracy, adequacy, suitability or completeness)



4. it shall have no claim against the State or any employee, agent or contractor of the State (whether in contract, tort (including negligence), equity, under statute or otherwise) arising from or in connection with the provision of the State Supplied Information
5. without prejudice to any other condition of tender, it must satisfy itself entirely from its own sources as to the meaning, effect and interpretation of, and take into account any matter or thing disclosed by any State Supplied Information relevant to the proposed EPM
6. the above acknowledgements by tenderers regarding State Supplied Information applies, without limitation, to both:
  - a. information contained or referred to in surveys, reports, studies, advices, papers, records or other material referred to in this Call for Tenders, the tender application package or any other documents provided by the State (Third Party Material)
  - b. statements made by the State (whether as part of the tender application package, this Call for tenders or otherwise) as to the meaning, effect or interpretation of the Third-Party Material.

### **7.30 Indemnity**

The tenderer must indemnify, and must keep indemnified on demand, the State and the Minister from and against any claim or liability suffered or incurred by the State or Minister arising out of, or in connection with:

1. any breach by the tenderer of the Tender Conditions; and
2. any action or claim brought by the tenderer against the State or Minister with respect to the tender process or the submission of a tender or both.

# Appendices

## Appendix A: Call for Tenders

The *Call for Tenders for Exploration Permit for Minerals Notice (No 01) 2023* published on Friday 27 January 2023 may be viewed at the Queensland Government Gazette website available at:

<https://www.publications.qld.gov.au/dataset/gazettes-january-2023/resource/dc68e5af-6212-425e-b123-41b85313e28e>

## **Appendix B: Tender application form**

The most current version of application form (MMOL-01) is available at:

<https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/authorities-permits/forms#new>

## **Appendix C: Response templates**

The response templates for this tender can be downloaded from the QTenders website  
<https://qtenders.hpw.qld.gov.au/qtenders/>.

Please refer to Section 5.3 for information about the QTenders website.

## Appendix D: Tender Checklist

Tenderers are required to provide the information outlined in the checklist below for their tender submission.

<b>Full individual or company name of tenderer:</b>	
If joint venture, full name of each venturer:	
<b>Preferred name of the company/joint venture (optional - for abbreviation purposes only):</b>	
<b>Tender code:</b> MLR2023-1	
<b>Tender area code:</b> MLR2023-1-1	
<b>Required component</b>	<b>Completed (Please tick)</b>
Completed MMOL-01 application form for the tender area	
Proof of identity for the tenderer obtained	
Letter of authority for the authorised holder representative obtained (if applicable) for the tender area	
Paid application fee for tender area (include a copy of payment advice/receipt)	
Completed response templates (with response for each criterion as a separate document), for the tender area, including supporting documentation	
This completed checklist	
Upload the above documents to QTenders. <i>Note tenderers should submit documents using the naming convention outlined in Table 6 of section 5.4 in the tender document.</i>	
<b>Signature (Authorised holder representative):</b>	
<b>Name (including title i.e., Mr/Ms/Dr):</b>	
<b>Position title:</b>	
<b>Telephone No:</b>	
<b>Email:</b>	
<b>Date:</b>	

## Appendix E: Block and sub-block descriptors of tender area

The description of the tender area in graticular blocks and sub-blocks as provided on the Block Identification Map (BIM) Series B held by the department is provided below:

MLR2023-1-1			
BIM Name	BIM Code	Block No	Sub-blocks
Townsville	TOWN	875	c,d,e,h,j,k,n,o,p,s,t,u,x,y,z
Townsville	TOWN	876	a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,q,r,s,t,u,v,w,x,y,z
Townsville	TOWN	877	a,b,c,f,g,h,i,l,m,n,q,r,s,v,w,x
Townsville	TOWN	947	e,k,p,u,z
Townsville	TOWN	948	a,b,c,d,e,f,g,h,i,j,k,l,m,n,q,r,s,v,w,x
Townsville	TOWN	949	a,b,c,f,g,h
Townsville	TOWN	1019	e,k,p,u,z
Townsville	TOWN	1020	a,b,c,f,g,h,i,l,m,n,o,p,q,r,s,t,u,v,w,x,y,z
Townsville	TOWN	1091	e,k,p,u,z
Townsville	TOWN	1092	a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,q,r,s,t,u,v,w,x,y,z
Townsville	TOWN	1163	e
Townsville	TOWN	1164	a,b,c,d,e

## **Appendix F: Information Memorandum for the former Wolfram Camp Mine and areas under Restricted Area 442**

The Information Memorandum for the former Wolfram Camp Mine and areas under Restricted Area 442, prepared by the Department of Resources can be downloaded from the QTenders website <https://qtenders.hpw.qld.gov.au/qtenders/>.

Please refer to Section 5.3 for information about the QTenders website.



## **Appendix G: Baseline Environmental Assessment and Rehabilitation Requirements for Restricted Area 442 Report**

The Baseline Environmental Assessment and Rehabilitation Requirements for Restricted Area 442 Report prepared by NRA Environmental Consultants, 2023, for the Department of Resources.

The report can be downloaded from the QTenders website <https://qtenders.hpw.qld.gov.au/qtenders/>.

Please refer to Section 5.3 for information about the QTenders website.

## Appendix H: Frequently asked questions

The following frequently asked questions and answers are provided to assist tenderers in making a tender submission.

**The tender package includes a response template. Does the department require strict compliance with that template, or can tenderers answer the tender criteria in their own form (e.g., graphically designed documents)?**

It is the responsibility of the tenderer to ensure its tender complies with sections 5 and 6 of this tender document, and the requirements under section 136E of the MRA. Use of the templates provided is preferred as it enables the most efficient evaluation of tender submissions.

**Will tenderers have the opportunity to make a presentation to the department (in person) in support of their tender package?**

There is no requirement for tenderers to make presentations to the department. The tender evaluation panel may however contact tenderers and request in-person presentations as part of the evaluation process.

**Will tenderers be allowed to meet with other areas of the department to discuss the tender, prior to a tender outcome decision being made?**

It is not appropriate for officers from the department to meet with any tenderer or potential tenderer and/or associated contractors or consultants to discuss any matters related to the tender.

Tenderers must also abide by of section 7.10 *Communication with the Minister or the department* of the tender conditions.

**Can the proposed work program include activities that are contingent on other activities being successful?**

The proposed work program in the tender submission should clearly express any contingent activities and include a clear explanation of the impact on the work program if the condition or assumption is not met. While proposed work programs may include conditional activities, any conditionality will be taken into account in the assessment of the proposed work program commitments and would be assessed as less competitive than planned work activities (that are not contingent).