



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 315

WRITTEN QUESTION

J Davis to the Minister for Lands, Planning and Environment, Hon Joshua Burgoyne MLA:

Caymus Fuel Storage Tanks

- 1. What monitoring of the Caymus fuel storage tanks is currently in place, and how would any ongoing leak be detected?**

The details of the environmental monitoring program required under Crowley's Environmental Approval is available at [Project Caymus Bulk Fuel Storage Facility | Department of Lands, Planning and Environment](#)

- 2. Are the tanks currently leaking?**

The Department of Lands, Planning and Environment is not aware of any leaks.

- 3. Was there any damage to the tanks from Cyclone Fina in November 2025 and did any such damage worsen leakage?**

As above.

- 4. Are any works planned to repair or upgrade the tanks?**

All tanks' leak detection systems have been certified as having been repaired to the appropriate standard.

- a. If not, why not?**

- 5. On 3 September 2025, the Environment Centre NT provided the Minister and the Northern Territory Environment Protection Authority (NT EPA) with evidence concerning the integrity of the under-tank liner, including prototype test results from March and April 2024. What assessment of that evidence was undertaken before the tanks were approved for operation on 4 September 2025, and by whom?**

The evidence provided pertained to testing of leak repairs. Testing has since been concluded and tanks have been repaired and certified in accordance with appropriate engineering standards.

The Department is satisfied that the upgrades to the leak detection system will remedy the risk of water ingress to the tanks.

6. Why were the tanks exempted from the requirement for occupancy certification when they were approved for operation?

a. Under what statutory power was that exemption granted, and can the instrument of exemption be tabled?

On 2 September 2025, a building exemption under section 65(1A)(a) of the *Building Act 1993* for the structure of the tanks at fuel facility at East Arm was declared by the Minister for Lands, Planning and Environment and published in the Government Gazette on 5 September 2025.

7. On 23 September 2025 the acting executive director of the environmental regulator advised the Environment Centre NT in writing that water was still intruding through the release prevention barrier in the under-tank leak detection system, and that the operator was undertaking progressive repair works prior to accepting fuel.

a. How is that advice consistent with the certification relied on for the 4 September 2025 approval?

The building approval process is independent of the environmental approval. Building approvals pertain to structural integrity. The issues that were experienced with the leak detection system did not affect structural integrity of the tanks.

b. How many of the eleven tanks are currently operational, and how many remain under repair?

None of the tanks remain under repair.

c. The Australian Broadcasting Corporation has reported that the regulator first became aware of issues with the safety liner in February 2024, following a complaint. What action was taken between February 2024 and the approval of the tanks for operation?

There are multiple agencies involved in the regulation of the site. The issues with water ingress through the leak detection system was not related to the structural approval of the tanks. While an exemption for building approval was issued on 2 September 2025, the Operator was not permitted to start operations and fill tanks with fuel until repairs to the leak detection barrier had been carried out. This was regulated

through Environmental Approval EP2021/008-002 and available at [Project Caymus Bulk Fuel Storage Facility | DLPE](#).

The Department's Environmental Regulation Division remained in regular contact with the operator to assess the progress of the repairs to the leak detection system until all tanks had been repaired and repairs certified by a Tank Engineer from Golding Tank Services.

An inspection was carried out on 27 June 2024, to assess the problem and the associated risks to the environment. At no point was there a risk of environmental harm from the defective leak detection systems since the tanks did not contain any fuel. Subsequent repairs have rectified the issue.

8. The Australian Broadcasting Corporation reported on 10 March 2025 that the tanks were constructed without a building permit required under the *Building Act 1993*. Was a building permit issued for that construction and, if not, what enforcement action, including any statutory penalty, has been taken or considered, and if none, why not?

In the Northern Territory (NT) by law building certification services including the issuing of Building and Occupancy Permits are carried out by private, registered building certifiers.

The purpose of the Building Permit is to ensure that construction is compliant with the requirements set out in the National Construction Code (NCC) and any relevant standards.

A Building Permit was not obtained by Crowley prior to commencement of construction of the tanks under the Act. A Building Permit cannot be issued retrospectively.

Without a Building Permit prior to construction, a private certifier cannot issue a Certificate of Occupancy at the conclusion of construction, irrespective of how the tanks are constructed.

Crowley provided evidence with a Compliance Statement from a NT registered structural engineer confirming that the tanks address storm surge management; cyclone resilience (to Category 4); fire protection; and spill containment in accordance with the NCC and relevant Australian standards.

The evidence provided to the Minister is the same level of information that would be required by a building certifier, if a permit had been granted for the tanks before construction.

No enforcement action was undertaken by the building regulator because the tanks were not filled and operated until the exemption was granted.