



**Ex gratia payment to Kevin Warren  
22nd September 2005**

Member for Flinders Liz Penfold in a Notice of Motion to Parliament has called on the state government to make an ex gratia payment to Kevin Warren of Eyreial Ag Services for expenses incurred in using his aircraft to fight the Black Tuesday bushfire and to put an agreement in place to cover his services in future bushfires.

"If the government had acted upon recommendations in the report on the Tulka fire then this request would be unnecessary because appropriate arrangements would have been in place," she said.

Mrs Penfold said she was stunned that Mr Warren's planes were not officially called upon until after mid day on the Tuesday and even then a set of "not negotiable" criteria were demanded.

She said the Dr Bob Smith report stated that the Wanilla CFS Brigade captain, via the IC, around 6pm on Monday requested access to CFS contracted aircraft to perform water bombing however the request was not forwarded to CFS State Headquarters. This was despite an offer being made by the CFS Chief Executive being made at 4.30pm which was refused.

A request was finally approved by the Deputy State Coordinator at 11.18am the next day and an aircraft was despatched at 11.50 am, arriving at 1 pm to begin operations.

"It is just as well that Kevin Warren was prepared to fly without official sanction.

"There are people who owe their lives, stock and property to him," she said.

The approval for Eyreial Ag Services received by fax after 12 noon on Tuesday read:  
"Approval is given to utilise acft operated by 'Warren' of Region 6 subject to the following criteria:

1. Must have \$10 million public liability insurance.
2. Must have comms (communications) with AAS (Australian Aerial Service) (acft VH-LMA).
3. Pilot(s) and acft must be rated to undertake fire operations tasks.

All not negotiable. R6 DO to confirm in writing."

Mrs Penfold said Mr Warren did not carry \$10 million public liability insurance therefore went into the air without official sanction.

"Imagine the scene at mid day on Tuesday. Houses, sheds, fences, vegetation, stock and machinery were burning. People were running for their lives and we are all too aware that some didn't make it.

“Mr Warren chose to do what he could to protect people and property rather than chase around trying to increase his public liability insurance and fulfil last minute bureaucratic red tape.

“It is a matter of justice that Eyreial Ag Services be compensated for expenses incurred in the operation and that an agreement be put in place to ensure that he can put his planes in the air to be the eyes in the sky during bushfires as was requested by the former Liberal Minister Robert Brokenshire after the Tulka fires but never implemented,” she said. ENDS