Wrong advice sees boy’s $1m compo rejected

JOHN ROLE

THE father of a boy with brain damage from a “blameless” crash has turned down a package worth $1.2 million-plus from a major insurer on legal advice that accepting it would jeopardise access to the National Disability Insurance Scheme.

But the scheme’s boss says the advice is wrong.

In 2004, a van ploughed into Troy Smith’s car on the Great Western Highway at Mt Druitt. His son, Layton, then two, was in the back seat.

In 2014, the Supreme Court ruled the van’s driver suffered a heart attack and was not responsible.

Without fault, the driver’s compulsory third party (CTP) insurer NRMA did not have to compensate Layton. CTP now covers such crashes.

NRMA had paid Layton’s medical bills. After the case, it said it would stop.

News Corp led a campaign that saw NRMA offer a package to an independent adviser, which has since valued at $1.2 million.

On the adviser’s feedback, NRMA was willing to add to it.

Mr Smith was close to reaching an agreement – before receiving new legal advice he had requested.

One of Mr Smith’s new lawyers told News Corp: “The (NDIS) legislation says you have to pursue all avenues.”

So an appeal of the court ruling has begun. But David Rowen, CEO of the National Disability Insurance Agency, which runs the NDIS, disputed the advice.

“The NDIS does not require compensation,” Mr Rowen said.

“The solicitors for Layton have not sought advice from the agency on this point.”

Mr Bowen also said Layton’s access to the NDIS was not affected by legal proceedings against NRMA.

The insurer said it had been told not to contact Mr Smith but that its package would still be on the table should the appeal fail.

Camels will be bonus

SACRED attraction

TOURISTS to Alice Springs will have three extra reasons to visit the region’s Kangaroo Sanctuary soon, with a new camel enclosure in the works for the attraction.

A $50,000 Tourism Infrastructure Development Fund grant from the Territory Government will allow the sanctuary to add three camels, which will be part of a new “camel education and experience”.

Chief Minister and Tourism Minister Adam Giles said the new component would complement the sanctuary’s operation, made famous on television’s Kangaroo Jumper.

The Kangaroo Sanctuary currently provides a guided sunset tour of the sanctuary educating visitors generally, about wildlife care and rescue, with a particular emphasis on the kangaroos,” Mr Giles said.

The NT Government was working to grow tourism, with the infrastructure grants helping businesses revitalise products and experiences on offer.

“The Northern Territory Government is committed to expanding and enhancing the range of tourism experiences so we can create more jobs and drive economic development in our regional areas,” he said.

“A thriving tourism industry helps boost local business, create jobs and grow the Territory economy.”

Land parcel released for exploration

THE Territory Government yesterday announced the release of some of the most sought after land in the Territory for oil and gas exploration.

The 5730sq km parcel is southeast of Daly Waters and sits within the Beetlealoo Sub-basin, where valuable reserves of unconventional gas are thought to be held.

New application processes for the onshore gas industry will assess companies’ financial and technical ability to undertake work, and will then have to negotiate with land councils and traditional owners.

Department of Mines and Energy executive director for energy Victoria Jackson said “exploration is in its early stages but the geology is regarded as world class — major national and international petroleum companies are actively exploring”.

Swimming spots in national park reopen

THE Parks and Wildlife Commission yesterday reopened Bulley Rockhole and Florence Falls in Litchfield National Park after water levels subsided.

“Water levels have fallen sufficiently in the area and flow rates are now considered safe for entry,” a Parks and Wildlife Spokeswoman said.

The swimming spots had been closed following recent heavy rains upstream.

The spokeswoman said conditions in the park can change rapidly, and the visitors should consider their swimming abilities and water conditions when deciding to swim.

Other popular national parks includes The Butterfly Springs, Southern Lost City and Western Lost City remain closed. Recent updates are posted on the Parks and Wildlife website.

Wrong advice sees boy’s $1m compo rejected

NTM001219MA - V1

Camels will be bonus sacred attraction

A thriving tourism industry helps boost local business, create jobs and grow the Territory economy.

Land parcel released for exploration

Swimming spots in national park reopen

John ‘Foxy’ Robinison, left inset, and Nick Paspaley, right inset, are closer to securing the Dartbrook coal mine, main picture, with Nathan Tinkler, middle inset.