

LETTER TO THE EDITOR

Sir,

You were kind enough a year ago to consent to the reprinting in the journal *The Valuer*, for April 1960, of my article entitled "The Unimproved Value of Land" which originally appeared in Volume 3, No. 1, pp. 108-118 of the *Sydney Law Review*. In that connection I had occasion to re-examine the case of *Sydney County Council v. Valuer-General* (1956) 1 Local Government Reports of Australia 172. This re-examination led me to include in the reprint, by way of correction, a new paragraph as follows:

Since writing this article my attention has been drawn to the fact that none of the parties in this case objected to the valuation of all the shops and offices as one area. The appeal was argued on the assumption that this method of valuation was correct, and the only question that Hardie, J. was called upon to decide was whether, in determining the unimproved value of the sub-strata as a whole, the excavation of the site should be considered as in existence. It is clear that if the whole area was to be viewed as unimproved, the means of access to the various shops and offices (which came into existence as a result of and formed part of the excavation) must be disregarded. Thus my criticism of the decision was not warranted. This does not alter the fact that in my opinion the Valuer-General proceeded on a wrong basis when he valued the land as a whole.

I regret that since your last issue was then already on the press, it was impossible for me to ask you to include a similar correction in it. I trust, however, it is possible to include this letter in your forthcoming number.

Yours etc.,

K. R. Handley.

January 20, 1961.
Wentworth Chambers,
Sydney.