



Employment Court of New Zealand

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Auckland Council v McFadgen [2012] NZEmpC 1 (16 January 2012)

Last Updated: 31 January 2012

IN THE EMPLOYMENT COURT AUCKLAND

[\[2012\] NZEmpC 1](#)

ARC 89/11

IN THE MATTER OF a challenge to a determination of the

Employment Relations Authority

BETWEEN AUCKLAND COUNCIL Plaintiff

AND JOANNE MCFADGEN Defendant

Hearing: By memoranda filed on 10 January 2012

Appearances: Katherine Burson, counsel for plaintiff

Daniel Erickson, counsel for defendant

Judgment: 16 January 2012

JUDGMENT OF CHIEF JUDGE GL COLGAN

[1] By consent, and pursuant to [s 183\(2\)](#) of the [Employment Relations Act 2000](#), the determination^[1] of the Employment Relations Authority, from which this is a challenge, is set aside.

[2] The parties have settled their proceedings by private agreement, the details of which are agreed to be confidential between them. Pursuant to cl 12(2) of sch 3 to the [Employment Relations Act 2000](#), no information about the parties' settlement is to be published except by leave of a Judge following opportunity for the parties to make submissions.

GL Colgan
Chief Judge

Judgment signed at 9 am on Monday 16 January 2012

AUCKLAND COUNCIL V JOANNE MCFADGEN NZEmpC AK [\[2012\] NZEmpC 1](#) [16 January 2012]

^[1] *McFadgen v Auckland Council* [2011] NZERA Auckland 472.
