



# Employment Court of New Zealand

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## Fletcher Construction Company Limited v Appleby [2025] NZEmpC 116 (13 June 2025)

Last Updated: 16 June 2025

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2025\] NZEmpC 116](#)

EMPC 498/2024

IN THE MATTER OF	proceedings removed by the Employment Relations Authority
BETWEEN	THE FLETCHER CONSTRUCTION COMPANY LIMITED First Plaintiff
AND	BRIAN PERRY CIVIL LIMITED Second Plaintiff
AND	RODNEY MARK APPLEBY First Defendant
AND	MICHAEL GEORGE ABBOTT Second Defendant
AND	GLEN AARON BUDDEN Third Defendant
AND	SAMUEL DAVID BALLANTYNE Fourth Defendant
AND	TRAVIS RYLE HENRI Fifth Defendant
AND	REVEK PILING LIMITED Sixth Defendant

Hearing: On the papers

Appearances: P Skelton KC, RM Rendle and A Birkinshaw, counsel for  
plaintiffs  
P Wicks KC, E Peterson and M Mau, counsel for first,  
second, third and sixth defendants  
S Langton, counsel for fourth and fifth defendants

Judgment: 13 June 2025

THE FLETCHER CONSTRUCTION COMPANY LIMITED v RODNEY MARK APPLEBY [\[2025\] NZEmpC 116](#) [13 June 2025]

### CONSENT JUDGMENT OF JUDGE KATHRYN BECK

[1] These proceedings relate to a matter removed to the Employment Court by the Employment Relations Authority.<sup>1</sup>

[2] The parties have resolved all matters between them and have reached a full and final settlement, the terms of which are confidential.

[3] A joint memorandum of the parties seeks that the agreement be recorded by way of consent orders.

[4] I make the following orders by consent:

- (a) These proceedings are discontinued; a notice of discontinuance will be filed in accordance with the parties' agreement.
- (b) Orders are made in the terms of the parties' agreement by way of consent.
- (c) The terms of the agreement are confidential to the parties and their advisers, and subject to non-publication orders in accordance with sch 3 cl 12(2) of the [Employment Relations Act 2000](#).
- (d) There are no outstanding issues as to costs.

[5] I commend the parties for reaching agreement, which will enable them to move forward.

Kathryn Beck Judge

Judgment signed at 12.30 pm on 13 June 2025

1 *The Fletcher Construction Company Ltd v Appleby* [2024] NZERA 754.

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