

**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

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**JUDGMENT OF CHIEF JUDGE GL COLGAN**

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[1]      By consent, and pursuant to s 183(2) of the Employment Relations Act 2000, the determination<sup>1</sup> 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

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<sup>1</sup> *McFadgen v Auckland Council* [2011] NZERA Auckland 472.

