

FILED

13 Jan 2026

**OFFICE OF THE
INDUSTRIAL
REGISTRAR**



Form 65 (version 2)

Work Health and Safety Act 2011 – Division 7A

NOTIFICATION OF A WHS DISPUTE

Pursuant to Division 7A of the *Work Health and Safety Act 2011*

COURT DETAILS

Court	Industrial Relations Commission of NSW
Jurisdiction	Commission
Registry	Parramatta
Case number	2026/00015794

TITLE OF PROCEEDINGS

Notifier	Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales
Respondent	Industrial Relations Secretary of New South Wales obo Department of Customer Service (Service NSW) ABN 37 552 837 401

FILING DETAILS

Filed for	Notifier
Representative	Marko Petrovic Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales
Contact number	0438 416 615
Contact email address	mpetrovic@psa.asn.au
Respondent contact name, telephone and email	Teena Markulin 0436 943 338 teena.markulin@customerservice.nsw.gov.au

DETAILS OF DISPUTE

Workplace where dispute exists

Service NSW Driver Testing Centre, 75-105 Mamre Road, ST MARYS, NSW 2760

WHS matter the subject of the dispute

- ☐ Work group determination matter.
- ☐ Work group variation matter.
- ☐ Access to information by a health and safety representative under s 70(1)(c).
- ☐ A request by a health and safety representative for a person assisting the representative to have access to the workplace under s 70(1)(g).
- ☐ A matter mentioned in s 72(2)(a) or (b) or (4) relating to training for a health and safety representative.
- ☐ A health and safety committee matter.
- ☒ A matter about work health and safety that is an issue to which Division 5 applies.
- ☐ An issue about cessation of work under Division 6.

Has an inspector been appointed to assist the parties to reach an agreement or resolve a dispute?

- ☐ Yes
- ☒ No

DESCRIPTION OF DISPUTE AND RELIEF SOUGHT

Note: Set out below a summary of the dispute and the relief sought. Please **be brief** – you will have the opportunity to provide more details to the Commission at the conciliation and during any arbitration

- 1 Work, Health, and Safety ('WHS') concerns were raised with the Notifier by workers at the Workplace regarding several issues.
- 2 Subsequently, the Notifier wrote to the Respondent outlining the concerns on 11 November 2025 (Attachment marked 'A')
- 3 **The WHS matters that are the subject** of this dispute are outlined in Attachment A, including matters pertaining to Traffic hazards, and Traffic and Risk management.
- 4 Further, the Notifier holds concerns that the Respondent is in breach of their legislative obligations in their primary duty of care,¹ providing necessary information, training, and supervision to manage risks and ensuring safe means of entry and exit, and failure to adequately consult, cooperate, and coordinate with

¹ *Work Health and Safety Act 2011* (NSW) ss 19, (3)(a), (3)(b), (3)(c).

other PCBUs on matters related to the Workplace carpark's construction, design, and use.²

- 5 The Respondent acknowledged receipt of correspondence on the same day.
- 6 The Notifier again wrote to the Respondent on 16 December 2025 seeking a reply to the outline of concerns provided on 11 November 2025 (Attachment marked 'B')
- 7 To date, the Respondent has failed to assuage the Notifiers WHS concerns at the Workplace.
- 8 **The Notifier seeks relief** in respect of this dispute by way of orders from the Commission, directing the Respondent to:
 - a. So far as is reasonably practicable, consult, co-operate, and co-ordinate activities with all other persons who have a duty in relation to this matter, including the Notifier, workplace health and safety representatives/committees.
 - b. Appoint a representative with an appropriate level of seniority and sufficient competency to act on behalf of the Respondent to ensure the timely, final, and effective resolution of the above matters.
 - c. That a written agreement is prepared with the consent of all parties with details of the issue(s) and their resolution.
 - d. That a copy of the above agreement is provided to all workers at the Workplace who are affected by the issue.
- 9 Any other order(s) that the Commission considers appropriate.

LISTING DETAILS

The parties will be advised of the date, time and place when the Commission will list this matter for directions. Any enquiries should be made to the Industrial Relations Commission Registry on 02 8688 3516.

² Ibid, ss19(3)(f), 20, 46-9.

SIGNATURE

Signature of Prosecutor



Capacity authorised officer of industrial organisation

Date of signature 13 January 2026

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website:

<https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html>

REGISTRY ADDRESS

Street Address	Level 1, 47 Bridge Street Sydney NSW 2000 or Level 5, 10 Smith Street Parramatta NSW 2150
Telephone	02 8688 3516

A



Public Service Association of NSW

General Secretary Stewart Little President Nicole Jess

160 Clarence Street Sydney NSW 2000 GPO Box 3365 Sydney NSW 2001

1800 772 679 (02) 9262 1623 psa@psa.asn.au www.psa.asn.au ABN 83 717 214 309

11 November 2025

The Centre Manager
St Marys Driver Testing Centre
Service NSW
Department of Customer Service
75-105 Mamre Road
ST MARYS, NSW 2760

C/- Mr Michael Robson
Principal Manager, Industrial Relations
People Services, People & Culture
Department of Customer Service

By email: michael.robson@customerservice.nsw.gov.au

Dear Mr Robson,

Re: Work health and safety concerns at St Marys Driver Testing Centre.

We write on behalf of the Public Service Association and Professional Officers' Association Amalgamated of NSW (*the Association*) regarding ongoing work health and safety ('WHS') concerns at the St Marys Driver Testing Centre (*the Workplace*).

Background.

1. The Workplace is located at 75–105 Mamre Road, St Marys (*the Property*).
2. It operates as a Service Centre managed by Service NSW, under the NSW Department of Customer Service (the '*PCBU*').
3. The Property is owned by St Marys Diggers and Band Club (*the Club*) and includes several buildings, three parking areas, and the Club itself.
4. The main access and exit point to the Property is via an access road at its southern end from Hall Street.
5. The Workplace comprises a single building (*the Building*) on the western section of the Property.
6. The Building, formerly used by the Police and Community Youth Club ('PCYC'), opened as the Workplace in September 2022.
7. The Workplace adjoins a carpark immediately south of the Building (*Workplace Carpark*), which contains one entry lane and two exit lanes.
8. Road markings include faded 'No Entry' signage at exit lanes and conflicting yellow and white directional arrows, the former remaining from the Building's prior PCYC use.

9. Vehicles entering the Property are directed northward and must turn left to enter via the Workplace Carpark entry lane.
10. The Workplace primarily conducts practical on-road driver testing, with approximately 20 tests every 45 minutes, totalling around 180 tests daily. The carpark is also used by driving schools, computer test customers, and Club patrons and staff.
11. Driver testing is performed by workers (*'Driver Testers'*) employed at the Workplace.

Key issues and concerns.

12. Following discussions with workers, the key issues and concerns are:

13. Traffic management

- a. Lack of clear signage marking entry and exit lanes in the Workplace Carpark.
- b. Absence of posted speed limits within the Property.
- c. Faded *'No Entry'* markings often ignored by drivers, increasing collision risk.
- d. Contradictory yellow and white painted arrows create confusion and potential vehicle conflicts.
- e. No designated pedestrian pathways or markings within the carpark, posing pedestrian safety risks.

14. Traffic hazards involving mobile plant.

- a. Increased risk of pedestrian injury due to inadequate signage and markings surrounding vehicle movements.

15. Risk management

- a. Multiple incident reports relating to traffic and safety risks were submitted by workers in July 2024 and February 2025.
- b. Although the PCBU has investigated some issues, such as line marking, to date, no effective controls have been implemented.

Suspected contraventions.

16. Considering the above, the Association is concerned the PCBU may be contravening obligations under the *Work Health and Safety Act 2011* (NSW), including the:

- a. Primary duty of care to maintain a work environment without health and safety risks, safe structures, and safe systems of work.¹
- b. Providing necessary information, training, supervision to manage risks and ensuring safe means of entry and exit.²
- c. A duty to consult, cooperate, and coordinate with other PCBUs on matters related to the carpark's construction, design, and use.³

Next steps.

17. We propose that as soon as reasonably practicable, the PCBU takes the following corrective actions:

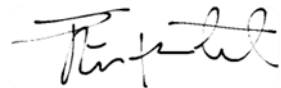
- a. Conduct a thorough inspection and correct all road markings to ensure clarity and consistency.
- b. Install appropriate traffic signage, including speed limits and entry/exit identification.
- c. Perform proper risk assessments and implement further controls as necessary.
- d. Consult with the Association to discuss and resolve these concerns within a reasonable timeframe.

Should these matters not be satisfactorily addressed, we reserve the right to escalate these matters by seeking the assistance of SafeWork NSW or the NSW Industrial Relations Commission without further notice.

Please contact Industrial Officer (WHS) Marko Petrovic on 1300 772 679 for further discussion or response.

Yours sincerely,

Marko Petrovic



for **STEWART LITTLE**
GENERAL SECRETARY

¹ *Work Health and Safety Act 2011* (NSW) ss 19, (3)(a), (3)(b), (3)(c).

² *Ibid*, ss 19(3)(f), 20.

³ *Ibid*, ss 46-9.



Outlook

RE: PSA NSW: Work health and safety concerns at St Marys driver testing centre

From Teena Markulin <Teena.Markulin@customerservice.nsw.gov.au>
Date Tue 2025-12-16 1:38 PM
To Marko Petrovic <mpetrovic@psa.asn.au>; Michael Robson <Michael.Robson@customerservice.nsw.gov.au>
Cc Dean Allen <dallen@psa.asn.au>; Trina Leask <tleask@psa.asn.au>

Hi,

Please accept my apologies for the delay, there will be a response shortly.

Regards, Teena

Teena Markulin

Senior Advisor Industrial Relations
People & Culture | People Services
Department of Customer Service

Visit our [Workplace Health and Safety hub](#), for your safety and wellbeing resources, tools and support

T (02) 9372 9094 **M** 0436 943 338 **E** teena.markulin@customerservice.nsw.gov.au

32 Mann Street
Gosford NSW 2250

From: Marko Petrovic <mpetrovic@psa.asn.au>
Sent: Tuesday, 16 December 2025 1:35 PM
To: Michael Robson <Michael.Robson@customerservice.nsw.gov.au>
Cc: Dean Allen <dallen@psa.asn.au>; Trina Leask <tleask@psa.asn.au>; Teena Markulin <Teena.Markulin@customerservice.nsw.gov.au>
Subject: Re: PSA NSW: Work health and safety concerns at St Marys driver testing centre

Some people who received this message don't often get email from mpetrovic@psa.asn.au. [Learn why this is important](#)
[CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.]

Hi Michael/Teena,

Could you please advise if there is to be any response to our letter dated 11 November 2025.

Thanks in advance,

Kind regards,
Marko



Marko Petrovic | Industrial Officer (WHS) & Educator |

Public Service Association of NSW

160 Clarence Street, Sydney NSW 2000

mpetrovic@psa.asn.au | psa.asn.au | 1800 772 679 | Industrial Support

UNITED WE BARGAIN, DIVIDED WE BEG



From: Marko Petrovic <mpetrovic@psa.asn.au>

Sent: Tuesday, 11 November 2025 12:22 PM

To: Michael Robson <Michael.Robson@customerservice.nsw.gov.au>

Cc: Dean Allen <dallen@psa.asn.au>; Trina Leask <tleask@psa.asn.au>; Teena Markulin <Teena.Markulin@customerservice.nsw.gov.au>

Subject: Re: PSA NSW: Work health and safety concerns at St Marys driver testing centre

Hi Michael,

Thank you for letting me know and the prompt reply.

Looking forward to hearing back from Teena.

Kind regards,
Marko

Get [Outlook for Android](#)



Marko Petrovic | Industrial Officer (WHS) & Educator |

Public Service Association of NSW

160 Clarence Street, Sydney NSW 2000

mpetrovic@psa.asn.au | psa.asn.au | 1800 772 679 | Industrial Support

UNITED WE BARGAIN, DIVIDED WE BEG



From: Michael Robson <Michael.Robson@customerservice.nsw.gov.au>

Sent: Tuesday, November 11, 2025 12:00:19 PM

To: Marko Petrovic <mpetrovic@psa.asn.au>

Cc: Dean Allen <dallen@psa.asn.au>; Trina Leask <tleask@psa.asn.au>; Teena Markulin <Teena.Markulin@customerservice.nsw.gov.au>

Subject: Re: PSA NSW: Work health and safety concerns at St Marys driver testing centre

Dear Marko,

I acknowledge receipt of your letter. This matter has been allocated to Teena Markulin. She will discuss this matter with Service NSW and revert to you with our responses and next steps.

Best regards,

Michael Robson

Principal Manager | Industrial Relations
People Services | People & Culture
Department of Customer Service

M 0405 475 553 **E** michael.robson@customerservice.nsw.gov.au

Working days Monday to Friday, 09:00am – 5:00pm

From: Marko Petrovic <mpetrovic@psa.asn.au>

Sent: Tuesday, 11 November 2025 11:16 AM

To: Michael Robson <michael.robson@customerservice.nsw.gov.au>

Cc: Dean Allen <dallen@psa.asn.au>; Trina Leask <tleask@psa.asn.au>

Subject: PSA NSW: Work health and safety concerns at St Marys driver testing centre

You don't often get email from mpetrovic@psa.asn.au. [Learn why this is important](#)

[CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.]

Dear Michael,

Please find attached correspondence from the Association.

I attempted to contact you by phone earlier to discuss this matter before sending the letter. Should you wish to discuss further, please feel free to contact me directly at 0438 416 615.

Kind regards,
Marko



Marko Petrovic | Industrial Officer (WHS) & Educator |

Public Service Association of NSW

160 Clarence Street, Sydney NSW 2000

mpetrovic@psa.asn.au | psa.asn.au | 1800 772 679 | Industrial Support

UNITED WE BARGAIN, DIVIDED WE BEG

