

Document No. 19

2023 REPCO SUPERCARS CHAMPIONSHIP RACES 7, 8, & 9 “BOSCH POWER TOOLS PERTH SUPERSPRINT”

CARCO.com.au Raceway, Wanneroo, Perth, Western Australia

27th April to 30th April 2023

STEWARDS SUMMARY OF JUDICIAL OUTCOMES, Update 4 FINAL: issued Sunday 29th April 2023 at 1730hrs

Matters from Race 9:

Deputy Race Director Incident Determinations

There were no Determinations.

Stewards' Decisions – Penalties imposed

During the Race the Stewards imposed a 15 second Time Penalty on Car 34, Jack le Broq, for a breach of Article 2.1.1 of Schedule B2 of the Rules – Careless Driving – following an incident on lap 1 at turn 7 when Car 34 made contact with Car 56, Declan Fraser, when attempting an uncontrolled overtake which caused Car 56 to spin and lose multiple positions.

STEWARDS SUMMARY OF JUDICIAL OUTCOMES, Update 3: issued Sunday 29th April 2023 at 1345hrs

Matters from Race 8:

Deputy Race Director Incident Determinations

There were no Determinations.

Stewards' Decisions – Penalties imposed

During the Race the Stewards imposed a 15 second Time Penalty on Car 11, Anton de Pasquale, for a breach of Article 2.I.1 of Schedule B2 of the Rules – Careless Driving – following an incident on lap 2 at turn 7 when Car 11 made contact with Car 26, David Reynolds, when attempting an uncontrolled overtake which forced Car 26 off the Race Track and resulted in Car 26 losing multiple positions.

Matters from Qualifying for Race 9:

Deputy Race Director Incident Determinations

There were no Determinations.

Stewards' Decisions – Penalties imposed

No Penalties were imposed.

Matters from Qualifying for Race 8:

Deputy Race Director Incident Determinations

During the Session the DRD in consultation with the DSA reviewed two allegations of impeding and in each case determined that the matters did not warrant referral to the Stewards:

- One by Erebus Motorsport that Car 26, David Reynolds, had impeded Car 99, Brodie Kostecki, at turn 7. A review of broadcast footage and timing data showed that Car 99 was not attempting to set a qualifying time on the lap concerned;
- The other by Tickford Racing that Car 26, David Reynolds, had impeded Car 6, Cam Waters, at turn 7. A review of broadcast footage and timing data showed that while Car 6 was closing on Car 26 on the approach to turn 7, Car 26 then accelerated to commence a flying lap. Car 6 set its fastest time in that sector on its lap. There was no evidence that Car 6 was impeded.

Stewards' Decisions – Penalties imposed

No Penalties were imposed.

Further matter arising from Race 7 – Erebus Protest

Following the publication of the Provisional Classifications for Race 7 the Stewards received a Notice of Protest from Erebus Motorsport regarding an incident on Lap 41 of Race 7 at turn involving Car 99, Brodie Kostecki, and Car 97, Shane van Gisbergen.

The Stewards heard the protest earlier today and have since issued their Decision dismissing the protest – Decision attached.

STEWARDS SUMMARY OF JUDICIAL OUTCOMES, Update 2: issued Saturday 29th April 2023 at 1835hrs

Matters from Race 7:

Deputy Race Director Incident Determinations

The DRD in consultation with the DSA reviewed the following incidents during the Race and in each case determined that the matter did not warrant referral to the Stewards:

- An incident at Turn 7 on Lap 4 when Car 56, Declan Fraser, left the exit of Turn 7 and rejoined ahead of Car 11, Anton De Pasquale. Incar broadcast footage from Car 11 showed that Car 11 made contact with Car 56 at the apex of Turn 7 when Car 11 was not far enough up alongside Car 56 to have right to the corner. It was only as a result of that contact that Car 56 left the Race Track;
- An incident at the exit of Turn 7 and the entry to the Pit entry road when Car 6, Cam Waters, which was ahead of Car 8, Andre Heimgartner, entered the Pit Lane and, as it was doing so, Car 8 made contact with the rear of Car 6 as a result of which Car 6 spun in the Pit entry road. A review of incar footage from cars behind Car 6 showed that Car 6 gave no indication to cars behind that it was entering the Pit Lane notwithstanding the express warning to all Drivers by the Race Director in the Race Director's Instructions and at the Competitors' and Drivers' Briefing that Drivers entering the Pit Lane should take care to attempt to warn Cars behind of their intention to enter the Pit Lane by use of an indicator or flash of brake lights. In the absence of any indication from Car 6 that it was intending to enter the Pit Lane, the Driver of Car 8 could not have anticipated that Car 6 would reduce speed at the apex.

Following the Race the DRD in consultation with the DSA received a request for investigation from Erebus Motorsport into an incident at Turn 6 on Lap 41 when contact occurred between the front left of Car 97, Shane van Gisbergen, and the right rear of Car 99, Brodie Kosteki, at the entry to Turn 6. A review of broadcast footage showed that Car 97 had sufficient overlap with Car 99 at the entry to Turn 6 to require Car 99 to give Car 97 racing room but Car 99 failed to do so as a result of which the contact occurred. There was no evidence to substantiate any breach of the Rules by the Driver of Car 97 and for that reason the matter was not referred to the Stewards.

Stewards' Decisions – Penalties imposed

Following the Race the Stewards imposed the following Penalties:

- A Fine in the sum of \$1500 and Loss of 30 Teams Championship Points for Brad Jones Racing for a breach of Rule D 11.2.3.2 – Car Controller must ensure that the Pit Stop is carried out safely – following an incident during the Race when Car 4, Jack Smith, was dropped with its left rear wheel unsecured;
- The demotion of Car 31, James Golding, from finishing position 14 to finishing position 15 for a breach of Article 3.3.2 of Schedule B2 – a Car rejoining the Race Track may only do so safely and without gaining any lasting advantage – following an incident on the final Lap of the Race when Car 14, Bryce Fullwood, was overtaking Car 31 on the inside at Turn 7 and Car 31 drove around the back of the exit kerb and rejoined ahead of Car 14 and took the Chequered Flag ahead of Car 14.

Matters from Qualifying for Race 7:

Deputy Race Director Incident Determinations

There were no Determinations.

Stewards' Decisions – Penalties imposed

No Penalties were imposed.



STEWARDS SUMMARY OF JUDICIAL OUTCOMES, Update 1: issued Friday 28th April 2023 at 1725hrs

Matters from Practice 1:

Deputy Race Director Incident Determinations

There were no Determinations.

Stewards' Decisions – Penalties imposed

No Penalties were imposed.

Matt Selley

Chair

Motorsport Australia Supercars Stewards

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CARCO.com.au Raceway, Wanneroo, Perth, Western Australia
27th April to 30th April 2023

The Stewards, having received a Notice of Protest from Erebus Motorsport Pty Ltd, having summoned and heard from the Authorised Representative of Erebus Motorsport Pty Ltd, the Authorised Representative of Triple Eight Race Engineering Pty Ltd and the Drivers of Cars 99 and 97, having reviewed broadcast and judicial camera footage from Cars 99 and 97, having reviewed telemetry from Car 97 and having heard from the DRD and the DSA, considered the matter determined the following

Competitor	Car 99 Erebus Motorsport Pty Ltd and Car 97 Triple Eight Race Engineering Pty Ltd
Car and Driver	Car 99 Brodie KostECKI and Car 97 Shane van Gisbergen
Date	Saturday, 29 April 2023
Session	Race 7
Fact	On Lap 41 contact occurred between Car 97 and 99 at Turn 6 when Car 97 was overtaking Car 99 (the Incident). Following the Race, Erebus Motorsport Pty Ltd (Erebus) lodged a Request for Investigation with the DRD regarding the Incident alleging that Car 97 caused the contact with Car 99 and that by so doing the Driver of Car 97 had committed a breach of the Rules. The DRD conducted an investigation into the Incident and determined that the matter did not warrant referral to the Stewards because there was no evidence of any breach of the Rules by the Driver of Car 97. The DRD published a DRD Determination accordingly. Erebus lodged a Notice of Protest regarding the Incident.
Rule	B4.6
Decision	The protest is admissible but is dismissed.

Reason

At turn 6 on Lap 41, the penultimate Lap, of the Race, Car 97 overtook Car 99. Car 97 took the Chequered Flag at 1628hrs in first position and Car 99 in second. There was contact between Cars 99 and 97 just prior to the apex of turn 6 in the course of Car 97's overtaking move. No Penalty was imposed by the Stewards on either Car during the Race for that contact.

At 1703 hrs on 29 April 2023 the DRD received a Request for a Post Session Incident Investigation from Erebus regarding the Incident. Rule B1.2 provides that any such Request must be submitted within 30 minutes of the end of the Session in which the incident occurred. In this case the Request for Investigation was received late. However, in recognition that immediately following the end of the Race the Team and the Driver of Car 99 had been occupied with the end of race podium presentation and media commitments, the DRD decided to accept and consider the Request for Investigation. The DRD conducted an Investigation into the Incident in consultation with the DSA and determined that no breach of the Rules by the Driver of Car 97 could be established.

At 1805hrs the RD signed the Provisional Classifications for Race 7 unaware that the DRD had not yet formally published his written Determination into the Erebus Request for Investigation to Erebus.

Rule B4.4 sets out the time limits for Protests. A protest against race results must be lodged within 30 minutes after the publication of the Provisional Classifications for the race unless the Stewards are satisfied that it was physically impossible for the Competitor to do so. A Determination of the DRD to not refer an incident to the Stewards is

susceptible to protest by the Competitor concerned. Any such protest must be lodged within 30 minutes of publication of the DRD's Determination. In this case the DRD's Determination was published to Erebus by email at 1820hrs.

A protest relating to "any other matter occurring at an Event" must be lodged within 30 minutes of the publication of the provisional results.

The Stewards have a power to extend the time for the lodgment of any protest if it is shown there were exceptional circumstances.

At 1850hrs the Authorised Representative of Erebus sent an email to the DRD foreshadowing the lodgement of a protest but explaining that the Team was experiencing internet issues. The Protest Form was received by the DRD at 1854hrs. It was accompanied by credit card details for payment of the protest fee.

The "Details of Protest" on the Protest Form were in the following terms:

"Driving incident during race 7 on lap 41 where car 97 made contact to the right rear with no (sic) minimal to no overlap on car 99 on the entry to turn 6. This contact caused 99 to loose (sic) position to car 97."

The "Applicable Rule number/s" cited on the Form was B3.3.9. There is no such Rule. The Authorised Representative explained that the Rule intended to be referenced is Article 3.9 of Schedule B2.

Admissibility of Protest

The Stewards determined to treat the Notice of Protest as a protest against the DRD Determination published at 1820hrs. The time in which to lodge a Notice of Protest against that decision expired at 1850hrs. The Notice of Protest was lodged 4 minutes later. However, it was foreshadowed within time. The Stewards determined to extend the time for the lodgment of the Notice of Protest to 1854hrs.

As noted above, a Competitor affected by a DRD Determination has a right to protest such a Determination.

While the Notice of Protest referenced the wrong Rule, that typographical error did not render the Notice invalid.

Accordingly, the Stewards determined that the protest was admissible.

Disposition of Protest

The Stewards invited the Protestor to explain the basis for it. The Authorised Representative said that at the entry to turn 6 Car 97 had contacted the rear bumper and rear right wheel of Car 99 and by so doing had created a gap to overtake which Car 97 exploited.

Article 3.9 of Schedule B2 prohibits any Driver from gaining an unfair advantage as a result of contact to another Car. The Protestor contended that the Driver of Car 97 had gained an unfair advantage from the contact described by the Protestor.

Broadcast footage of the Incident was reviewed and the Protestor and the Authorised Representative of Triple Eight Race Engineering (**Triple Eight**) spoke to it. The footage demonstrably showed that there was no contact by Car 97 with the rear bumper or right rear wheel of Car 99 as had been suggested. Rather it showed that on the entry to turn 6, Car 99 had been defending by staying to the right side of the Race-Track and had then moved left, back to the racing line, for the turn-in for turn 6. As Car 99 did do, Car 97 moved up into the space left by Car 99 on the inside of the approach to turn 6. Just prior to the apex to turn 6, slight contact occurred between the two Cars at a point when Car 97 had significant overlap on Car 99.

The Authorised Representative of Triple Eight submitted that as Car 99 turned-in for turn 6, it did not leave a car's width of racing room on the inside and Car 99 made avoidable contact with Car 97. The DSA expressed the same view and explained that it was for this reason that he had recommended to the DRD that the matter not be referred to the Stewards.

The Stewards reject the contention that the Driver of Car 97 breached Article 3.9 of Schedule B2. Car 97 did not cause the contact with Car 99.

Further, the Stewards noted that the *Supercars Australia Code of Driving Guidelines* published to all Competitors provides that it is the responsibility of an overtaking car to make a safe, controlled and effective pass and of the car being overtaken to ensure that racing room is given at all times when the approximate region of the headlights of the car behind are at approximately the "B" pillar of the car in front. These are key guiding principles in the DSA's recommendations to the DRD and the Stewards when assessing any incident involving an overtake on the inside. The available footage showed that the headlights of Car 97 were at approximately the "B" pillar on Car 99 but there was not a car's width between Car 99 and the edge of the Race Track at that point.

Article 3.6 of Schedule B2 also provides that any Driver moving back towards the racing line, having earlier defended his position off-line, should leave at least one car width between his own car and the edge of the Race-Track on the approach to the corner. Car 99 did not do so.

The Protestor suggested that an analysis of Car 97's telemetry would suggest that the Driver of Car 97 may not have been in complete control of his Car when attempting to overtake Car 99 on the inside. The telemetry was reviewed. It showed no data which suggested an absence of complete control. The broadcast footage showed no brake lock or slide by Car 97.

The Stewards agree with the DRD's Determination. No breach of the Rules by the Driver of Car 97 was established.

The Stewards therefore dismiss the Erebus protest.

The Competitor is reminded that Decisions and Penalties that may be subject to Appeal are set out in B7.7.2 and the Rights to and process for an Appeal are set out in B5.

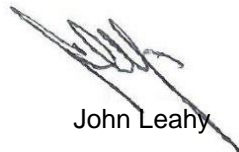
Issued by the Stewards of the Event:



Matt Selly (Chair)
Motorsport Australia Stewards



Bradley Tubb



John Leahy

DATE: 30 April 2023

TIME: 1330hrs