

## Document No. 54

### 2022 REPCO SUPERCARS CHAMPIONSHIP RACES 27, 28 & 29

“ITM AUCKLAND SUPERSPRINT”

Pukekohe Park Raceway, Pukekohe, New Zealand

08<sup>th</sup> to 11<sup>th</sup> September

**STEWARDS SUMMARY OF JUDICIAL OUTCOMES, Update (Final REVISED): issued Tuesday 20th September at 1130hrs.**

#### ***Further Matter arising following Event***

##### Stewards' Decision – Penalty imposed

Following the Event the Stewards conducted an inquiry into an allegation that the Authorised Representative of Erebus Motorsport Pty Ltd made physical contact with the Driver of Car 18, Mark Winterbottom, in the Erebus garage following Race 28. The Stewards have imposed a Reprimand on the Authorised Representative of Erebus Motorsport Pty Ltd – Stewards Decision attached.

#### ***Matters from Race 29:***

##### Deputy Race Director Incident Determinations

The DRD, in consultation with the DSA, reviewed the following matters during the Race:

- An Incident immediately following the start when contact occurred between Car 5, James Courtney, and Car 35, Todd Hazelwood, as a result of which Car 5 sustained a flat right front tyre and spun and collided with the wall at Turn 1. After reviewing broadcast footage the DRD considered that no Driver was wholly or predominantly to blame for the Incident. As occurred at the start of Race 27, Cars 5 and 35 were among a group of 4 Cars side by side and there was insufficient room. Car 5 was so close to Car 35 that their wheels interlocked;
- At the request of Premiair Racing, an allegation that Car 22 was in front of Car 10 when the SC intervention commenced on Lap 1 yet Car 10 was ahead of Car 22 when the SC collected the leader of the Race. The DRD did not refer the matter to the Stewards because there was no evidence available to establish the alleged breach;
- At the request of WAU Racing, an allegation that Car 26, David Reynolds, had bumped Car 2, Nick Percat, at Turn 8 on Lap 36 and gained a position. Broadcast footage revealed that there had been no contact by Car 26 on Car 2 and no breach of the Rules was observed;
- At the request of Triple Eight Racing, an allegation that Car 50, Cam Waters, failed to leave racing room for Car 97 at Turn 11 on Lap 39. The broadcast footage revealed that Car 97 was not alongside Car 50 and Car 97 caused contact with the rear of Car 50.

##### Stewards' Decisions – Penalties imposed

The Stewards imposed the following Penalties during the Race:

- 15 Second Time Penalties for each of Car 99, Brodie Kosteci, Car 34, Jack le Broq, and Car 55, Thomas Randle, for weaving after the SC lights were extinguished in breach of Rule D10.2.10.2;
- A PLP for Car 17, Will Davison, after the Car Controller released Car 17 from its Pit Bay on Lap 26 when the rear left wheel of the Car was not fastened.

#### ***Matters from Race 28:***

##### Deputy Race Director Incident Determinations

There were no Determinations

##### Stewards' Decisions – Penalties imposed

The Stewards imposed the following Penalties during the Race:

- 5 Second Time Penalties for Car 5, James Courtney, and Car 55, Thomas Randle, after they used the chicane at Turn 5 and gained a lasting advantage over Cars which had been ahead of them at the entry to Turn 5 when they rejoined the track on Lap 1;
- A PLP for Car 18, Mark Winterbottom, for reckless driving after Car 18 pushed Car 9, Will Brown, off the track at Turn 9 on Lap 1 as a result of which Car 9 collided with the wall on the outside of the Pit entry sustaining major damage;
- A 5 Second Time Penalty for Car 35 for Careless Driving after Car 35 failed to leave racing room for Car 4, Jack Smith, on the outside at Turn 5 as a result of which Car 4 was pushed off track and lost a position;
- A 15 Second Time Penalty for Car 55, Thomas Randle, after Car 55 made contact with the rear of Car 3, Tim Slade, at Turn 8 on Lap 10 as a result of which Car 3 spun and lost positions.

### ***Matters from Qualifying for Race 29:***

#### *Deputy Race Director Incident Determinations*

There were no Determinations.

#### *Stewards' Decisions – Penalties imposed*

Following the Session, the Stewards conducted a Hearing following receipt of a report from the HoM that Car 20 was not brought to the scales after an instruction was issued over RMC by the MOM at the end of the Session that 3 Cars, one of which was Car 20, was to be brought to the scales. While the Authorised Representative for Team 18 explained that he had accidentally disabled his radio, the Rules mandate that the Team must monitor RMC at all times and the MOM's Authorised Representatives Instructions reminded Teams to pay particular attention to RMC instructions for parc ferme at the end of qualifying sessions as did the Race Director's Instructions. The Authorised Representative acknowledged that he ought to have made enquiry as to which Cars were called to the scales if he had not heard the instruction. The Stewards imposed a Penalty of Loss of 20 Teams Championship Points and a Fine of \$1,000 on Team 18 for a breach of Rule B6.5.10 – failing to obey instructions.

### ***Matters from Qualifying for Race 28:***

#### *Deputy Race Director Incident Determinations*

There were no Determinations.

#### *Stewards' Decisions – Penalties imposed*

There were no Penalties imposed.

## **STEWARDS SUMMARY OF JUDICIAL OUTCOMES, Update 1: issued Saturday 10<sup>th</sup> September at 1900hrs.**

### ***Matters from Race 27:***

#### *Deputy Race Director Incident Determinations*

The DRD in consultation with the DSA conducted an investigation into an Incident on Turn 1 immediately following the start of the Race when contact occurred between Car 3, Tim Slade, and Car 5, James Courtney, as a result of which Car 3 sustained suspension damage and was unable to continue in the Race and Car 5 sustained panel and tyre damage. A review of broadcast footage revealed that Cars 31, 2, 5 and 3 were in a row of 4 Cars approaching Turn 1, with Car 31 on the inside and Car 3 on the outside. There was insufficient space for all 4 Cars through Turn 1 and as a result contact occurred. No Driver was considered to be wholly or predominantly to blame for the Incident and for that reason it was not referred to the Stewards.

#### *Stewards' Decisions – Penalties imposed*

The following Penalty was imposed during the Race:

- The Stewards imposed a Fifteen (15) second Time Penalty on Car 99, Brodie Kostecki for a Pit Lane Infringement, breach of Rule C15.5.2 – the Limiter must be activated at all times while the Car is moving in Pit Lane

On Lap 7 of the Race the rear left wheel of Car 56, Jake Kostecki, was seen on broadcast footage to have fallen off Car 56 when it was dropped in its Pit Bay to be released from its Pit Stop. The wheel rolled across the fast lane coming to rest against the pit wall. Another Car from the same team, Car 5, James Courtney, was baulked from entering the same Pit Bay and as a result Car 99, Brodie Kostecki, which was behind Car 5 was impeded. Car 56 attempted to continue down the Pit Lane on 3 wheels and stopped. The Team, Tickford Racing, having admitted that the Car Controller breached Rule D11.2.3 by releasing Car 56 in an unsafe condition (for which the Team is responsible under Rule A4.4), the Stewards imposed a Penalty of a Fine in the sum of \$1500 and Loss of 30 Teams Championship Points.

***Matters from Qualifying for Race 27:***

*Deputy Race Director Incident Determinations*

There were no Determinations.

*Stewards' Decisions – Penalties imposed*

There were no Penalties imposed.

***Matters from Practice 2:***

*Deputy Race Director Incident Determinations*

There were no Determinations.

*Stewards' Decisions – Penalties imposed*

Following an admission to the breach by the Team, Racing Team (Aust) Pty Ltd, the Stewards imposed a Fine of \$350 on the Drivers of the following Cars for exceeding the Pit lane Speed Limit in the Session:

- Car 17 Will Davison (49kph)
- Car 11 Anton De Pasquale (49kph)

***.Matters from Event Rides:***

Following an admission to the breach by the Team, WAU Racing Pty Ltd, the Stewards imposed a Fine of \$250 on Car 2, Nick Percat, for exceeding the Pit lane Speed Limit in the Session (45kph).

***Matters from Practice 1:***

*Deputy Race Director Incident Determinations*

There were no Determinations

*Stewards' Decisions – Penalties imposed*

Following an admission to the breach by the Team, Brad Jones Racing Pty Ltd, the Stewards imposed a Fine of \$750 on Car 8, Andre Heimgartner, for exceeding the Pit lane Speed Limit in the Session (63kph).

*Matt Selley*

*Chair*

*Motorsport Australia Supercars Stewards*

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The Stewards, having received a report from the Race Director and having determined to conduct an inquiry, summoned and heard from the Team Representatives of Erebus Motorsport and Team 18 and the Drivers of Car 9, Will Brown, and Car 18, Mark Winterbottom, have considered the matter and determine the following.

<b>Competitor</b>	Car 9 Erebus Motorsport Pty Ltd (Erebus)
<b>Participant</b>	Authorised Representative of Erebus
<b>Date</b>	Sunday, 11 September 2022
<b>Fact</b>	The Authorised Representative was seen on broadcast footage to make physical contact with the Driver of Car 18 in the Erebus garage following Race 28.
<b>Rule</b>	Rule B6.5.1
<b>Decision</b>	Reprimand for the Authorised Representative of Erebus

#### Reason

On the first Lap of Race 28 an incident occurred between Cars 18 and 9 at Turn 9 as a result of which Car 9 was pushed off track and collided heavily with a tyre barrier on the exit of Turn 9 causing significant damage to Car 9. The force of the impact of Car 9 with the tyre barrier was reported to have been 56G. The Driver of Car 9 was uninjured. During the Race the Stewards imposed a PLP on the Driver of Car 18 for a reckless driving infringement in relation to that incident.

Media had interviewed the Driver of Car 9 who suggested that the Driver of Car 18 ought to visit him after the Race to discuss the incident. The Driver of Car 18 attended the Erebus garage shortly after the Race to enquire of the Driver of Car 9 as to his welfare. He was not intending to speak with the Authorised Representative of Erebus who was in discussions with the Driver of Car 9 when the Driver of Car 18 arrived. The Driver of Car 18 was unaware that the Authorised Representative of Erebus had sent a message to his counterpart at Team 18 requesting that the Driver of Car 18 not attend the Erebus garage because emotions within the Erebus team were high and the Team needed time to focus on assessing whether the Car was repairable.

A verbal altercation occurred within the Erebus garage between the Drivers of Cars 18 and 9 and the Authorised Representative of Erebus regarding the first Lap incident and its consequences. A media camera operator was in attendance in the garage at the time and filmed the altercation. The footage depicts physical contact between the Authorised Representative of Erebus and the Driver of Car 18.

The first contact involved the Authorised Representative using the back of his hand to touch the Driver's left arm to direct the Driver towards the door of the garage at the same time as asking the Driver to leave the garage. There was no force behind the push.

The second contact occurred a short time later and involved the Authorised Representative pushing the Driver's upper arm using the open face of his hand, again at the same time as asking the Driver to leave, the Driver having not left after the first contact. The second contact was evidently more forceful than the first because it pushed the Driver of Car 18 off balance, albeit slightly.

Rule B6.5.1 provides that "*a person must not intentionally make physical contact, which includes any type of assault with another person, except in self-defence.*" A literal construction of that Rule would deem any harmless and not unwanted physical contact a breach. In our minds, a breach of the Rule cannot be established unless the contact was at the very least unwanted and beyond the bounds of social norms. The first contact was

little more than a touch and was merely a non-aggressive means of conveying to the Driver of Car 18 that he was not wanted in the garage at that time. The second contact, however, involving more force, was unwarranted and went beyond the bounds of social norms even though it was not threatening and caused no harm to the Driver.

The Stewards recognise that the altercation occurred in an emotionally charged context. The Authorised Representative of Erebus and the Driver of Car 9 were upset by what had occurred on track and for which the Stewards had imposed a Penalty on the Driver of Car 18. Car 9 was unable to compete in Race 29 and it was uncertain then if it could be repaired in time for the next round of the Championship, if at all. The Driver of Car 18 acknowledged that had he known of the request that he not attend at the Erebus garage when he did, he would not have done so and would have chosen a later moment to discuss the incident with the Driver of Car 9. The combination of circumstances were unfortunate and arose out of a misunderstanding by the Driver of Car 18 that an open invitation had been extended to him to attend at the Erebus garage to discuss the Race 28 incident.

The Driver of Car 18 acknowledged that he did not feel threatened or intimidated during the incident. Notwithstanding, the Stewards are satisfied that a breach of Rule B6.5.1 was occasioned by the second push and the Authorised Representative acknowledged that he made an error of judgment and that physical contact with the Driver was unnecessary.

The Stewards find the breach established and impose a Reprimand on the Authorised Representative of Erebus.

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 Selley (Chair)  
*Motorsport Australia Stewards*



Steve Lisk



Wayne Scott

**DATE:** 20 September 2022

**TIME:** 1045hrs (AEST)