

**Aviation Safety Investigation Report
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**Boeing Co
B767**

07 September 1997

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Investigations commenced on or before 30 June 2003, including the publication of reports as a result of those investigations, are authorised by the Executive Director of the Bureau in accordance with Part 2A of the Air Navigation Act 1920.

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NOTE: All air safety occurrences reported to the ATSB are categorised and recorded. For a detailed explanation on Category definitions please refer to the ATSB website at www.atsb.gov.au.

The controller subsequently noticed the aircraft at approximately 67 NM south of Mackay, climbing through FL350. The controller asked the pilot to confirm that the requirement would be met. The pilot replied in the affirmative, but shortly after advised that he could not meet the requirement. The controller instructed the pilot to turn left 30 degrees for separation, and issued traffic information on OGM. The aircraft came to within 10 NM on parallel tracks. When RME had left FL 390, the pilot was cleared to resume tracking via the flight planned route.