

**Aviation Safety Investigation Report
199403203**

**Boeing Co
B737
Boeing Co
B737**

29 October 1994

Readers are advised that the Australian Transport Safety Bureau investigates for the sole purpose of enhancing transport safety. Consequently, Bureau reports are confined to matters of safety significance and may be misleading if used for any other purposes.

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.

Investigations commenced after 1 July 2003, including the publication of reports as a result of those investigations, are authorised by the Executive Director of the Bureau in accordance with the Transport Safety Investigation Act 2003 (TSI Act). Reports released under the TSI Act are not admissible as evidence in any civil or criminal proceedings.

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 Bureau did not conduct an on scene investigation of this occurrence. The information presented below was obtained from information supplied to the Bureau.

Occurrence Number: 199403203 **Occurrence Type:** Incident
Location: 70km W Rugby NDB
State: NSW **Inv Category:** 4
Date: Saturday 29 October 1994
Time: 1315 hours **Time Zone** EST
Highest Injury Level: None

Aircraft Manufacturer: Boeing Co
Aircraft Model: 737-376
Aircraft Registration: VH-TAH **Serial Number:** 23479
Type of Operation: Air Transport High Capacity Passenger
Damage to Aircraft: Nil
Departure Point: Adelaide SA
Departure Time: 1213 EST
Destination: Sydney NSW

Aircraft Manufacturer: Boeing Co
Aircraft Model: 737-33A
Aircraft Registration: VH-CZV **Serial Number:**
Type of Operation: Air Transport High Capacity Passenger
Damage to Aircraft: Nil
Departure Point: Melbourne VIC
Departure Time: 1242 EST
Destination: Brisbane Qld

Approved for Release: Thursday, November 24, 1994

The approximate track of VH-TAH was direct from Malim to Bindook, maintaining flight level 350. VH-CZV was tracking from Wagga to Cowra at flight level 330 and the tracks of these two aircraft crossed. Due to turbulence the crew of VH-CZV requested a climb to flight level 350. A clearance was given for VH-CZV to climb to flight level 370, with a requirement to reach this level in 15 track miles.

Subsequently, the radar controller realised VH-CZV would not reach this level in time. An instruction was issued to VH-CZV to turn right by 90 degrees. The required separation was not maintained, with the lateral distance reducing to 3 miles when VH-CZV was 1500 feet above VH-TAH. The climb was continued and vertical separation established.

Significant Factors

The following factors were considered relevant to the development of the incident:

1. Controller technique in allowing insufficient track distance to achieve the level change.
2. Aircraft crew acceptance of the requirement and then not advising they could not achieve the required level in time.
3. Slow recognition by the controller that the climbing aircraft would not reach the required level in time.

