



Australian Government

Defence Honours and Awards Appeals Tribunal

Hulse and the Department of Defence [2026] DHAAT 18 (6 August 2026)

File Number(s)	2025/029
Re	Lieutenant Colonel George Hulse OAM (Retd) Applicant
And	The Department of Defence Respondent
Tribunal	Mr Stephen Skehill (Presiding Member) Rear Admiral Allan Du Toit AM (Retd) Air Commodore Tony Grady AM (Retd) Major Gary Mychael OAM CSM (Retd)
Hearing Date	28 May 2026
Attendances	Lieutenant Colonel George Hulse OAM (Retd) For the Department of Defence: Ms Allison Augustine - Director, Honours and Awards; Colonel Dan Bennett CSC – Historical Honours Review Officer; Lieutenant Colonel Chris Gates – Historical Honours Review Officer; Mr Tyson Pan – Assistant Director, Honours and Recognition; Mr Pat Jones AFSM - Bravery Awards Manager; Ms Jen Robinson - Manager, Honours Reviews.

DECISION

On 6 August 2026, the Tribunal decided to recommend to the Minister that:

- (a) the Defence decision to refuse to recommend Lieutenant Colonel Hulse for the Conspicuous Service Cross should be affirmed; but
- (b) the Minister should recommend to the Governor-General that Lieutenant Colonel Hulse should instead be awarded the Conspicuous Service Medal.

CATCHWORDS

*DEFENCE HONOUR – Conspicuous Service Cross – Vietnam - eligibility criteria
– outstanding or meritorious achievement – devotion to duty in non-warlike
situations – fire fighting – 1969 Nui Dat Ammunition Point fire*

LEGISLATION

Defence Act 1903 – ss 110T, 110V(1), 110VA and 110VB(1)

Defence Force Regulation 2016 – Regulation 35

*Commonwealth of Australia Gazette No. S108 dated 7 May 1990, Letters Patent and
Regulations for the Conspicuous Service Decorations.*

REASONS FOR DECISION

Introduction

1. The applicant, Lieutenant Colonel George Hulse OAM (Retd), seeks review of a decision of the Department of Defence, dated 10 September 2025, to refuse to recommend him for the Conspicuous Service Cross for his service at the Nui Dat Ammunition Point fire in Vietnam on 19 February 1969.

Decision under review

2. On 7 August 2023, Lieutenant Colonel Hulse wrote to the Director of Honours and Awards in the Department of Defence seeking the Conspicuous Service Cross in recognition of his *command and leadership of the 1st Australian Task Force (1ATF) ammunition point firefighting team at Nui Dat in South Vietnam on 19 February 1969*.¹

3. On 10 September 2025, Defence responded to Lieutenant Colonel Hulse advising that it would not recommend him for recognition and that it had assessed that his *actions during the incident that occurred at Nui Dat in South Vietnam in 1969 fall within the scope of duties expected of personnel in your role*.²

4. On 10 September 2025, Lieutenant Colonel Hulse made application to the Tribunal seeking review of Defence's decision.

Tribunal jurisdiction

5. Pursuant to s110VB(1) of the *Defence Act 1903* (the Defence Act), the Tribunal has jurisdiction to review a reviewable decision if an application is properly made to the Tribunal. The term *reviewable decision* is defined in s110V(1) and includes a decision made by a person within the Department of Defence or by the Minister to refuse to recommend a person for an honour or award in response to an application.

6. Regulation 35 of the *Defence Regulation 2016* lists the defence honours that may be the subject of a reviewable decision. Included in that list is the Conspicuous Service Cross. Therefore, the Tribunal has jurisdiction to review decisions in relation to this defence honour.

7. The Tribunal was satisfied that the applicant's letter of 7 August 2023 constituted an application as defined in s110V(1)(c) of the Defence Act. The Tribunal is bound by the eligibility criteria that governed the making of the reviewable decision in 2025, as required by s110VB (6) of the Act. In accordance with s110VB (1) of the Act, as the

¹ Correspondence from Lieutenant Colonel Hulse to Director of Honours and Awards, dated 7 August 2023, attached to application for review, dated 10 September 2025.

² Correspondence from Defence, dated 19 September 2025, to Lieutenant Colonel Hulse as supplied with the application for review, dated 10 September 2025.

applicant seeks a defence honour, the Tribunal does not have the power to affirm or set aside the decision but may make recommendations regarding the decision to the Minister.

Lieutenant Colonel Hulse's service

8. Lieutenant Colonel Hulse joined the Australian Regular Army as a Private in the Royal Australian Infantry Corps on 24 June 1960 for an initial period of six years. He commissioned as an officer on 12 December 1964 and discharged as a Major on 24 June 1980. He re-enlisted in the Australian Active Reserves on 25 June 1980 and discharged on 9 November 1992. Lieutenant Colonel Hulse served overseas in Malaya, Vietnam, Papua New Guinea, the United States of America and Pakistan.³

9. Relevant to this application Lieutenant Colonel Hulse served in Vietnam from 30 April 1968 to 14 May 1969 and served with the 1st Field Squadron Royal Australian Engineers as Troop Officer. He also served as a Troop Commander, Squadron Operations Officer and was attached to the United States Army 1st Infantry Division based at Lai Khe in 1969.⁴

10. While serving in Vietnam, Lieutenant Colonel Hulse was part of a group of personnel from the 1st Field Squadron that extinguished an ordnance fire at the 1st Australian Task Force Ammunition Point on 19 February 1969.

11. Lieutenant Colonel Hulse's service records indicate he was well-regarded amongst his peers and was the recipient of the Field Marshal Sir Thomas Blamey Award in 1987, which was awarded for outstanding qualities of leadership. There is nothing in Lieutenant Colonel Hulse's service records that indicate he should not be considered for, or could not be awarded, the Conspicuous Service Cross.

12. Lieutenant Colonel Hulse has been awarded the following:

- a. Medal of the Order of Australia (Civilian Division, awarded in 2020);
- b. Australian Active Service Medal 1945-75 with Clasps VIETNAM and THAI/MALAY;
- c. Australian Service Medal 1945/75 Clasps PNG, KASMIR, SE ASIA ;
- d. Vietnam Medal;
- e. Australian Defence Medal;
- f. National Medal;
- g. Republic of Vietnam Cross of Gallantry with Palm Unit Citation;
- h. Republic of Vietnam Campaign Medal;
- i. Pingat Jasa Malaysia;

³ Lieutenant Colonel Hulse Service Record

⁴ Lieutenant Colonel Hulse resume as listed in Service Record

- j. Defence Long Service Medal with First and Second Clasps;
- k. Unit Citation for Gallantry;
- l. Returned from Active Service Badge;
- m. United Nations Medal with Ribbon UNMOGIP; and
- n. Army Combat Badge.⁵

Eligibility Criteria - the Conspicuous Service Decorations

13. The Australian Conspicuous Service Decorations were created on 18 October 1989 to provide recognition to members of the Australian Defence Force and certain other persons for outstanding or meritorious achievement or devotion to duty in non-warlike situations.⁶ The Decorations consist of the Conspicuous Service Cross and the Conspicuous Service Medal.

14. The eligibility criteria are set out in the Australian Conspicuous Service Decorations Regulations (the Regulations), as follows:

The Conspicuous Service Cross shall be awarded only for outstanding devotion to duty or outstanding achievement in the application of exceptional skills, judgement or dedication, in non-warlike situations;

*The Conspicuous Service Medal shall be awarded for meritorious achievement or devotion to duty in non-warlike situations.*⁷

Lieutenant Colonel Hulse's application to Defence

15. On 7 August 2023, Lieutenant Colonel Hulse made application to Defence seeking the Conspicuous Service Cross for his *command and leadership of the 1st Australian Task Force (1ATF) ammunition point firefighting team at Nui Dat in South Vietnam on 19 February 1969*.⁸

16. In his application, Lieutenant Colonel Hulse supplied the following documents, along with the details of a principal eyewitness, Major-General Murray Blake AM MC (Retd).

- a description of what happened and outcomes in respect of the 1st Australian Task Force ammunition point fire on 19 February 1969;

⁵ Lieutenant Colonel Hulse service records and confirmed with the Directorate of Honours and Awards
⁶ Commonwealth of Australia Gazette No. S108, dated 7 May 1990, *the Australian Conspicuous Service Decorations, Letters Patent and Regulations*.

⁷ Ibid

⁸ Ibid

- extracts of the Tribunal’s decision in respect of the recommendation to award Sapper Michael Dunn the Conspicuous Service Medal for his role in the same fire;⁹ and

- supporting documents taken from official publications and other publications written about Lieutenant Colonel Hulse during his tour of duty, which he stated, *demonstrate that the ammunition point fire was not a “one-hit-wonder” for me and that he was involved in many combat circumstances during my tour of duty in the war of South Vietnam.*

17. Lieutenant Colonel Hulse submitted to Defence that his command and leadership of the 1st Australian Task Force ammunition point firefighting team on 19 February 1969 warranted the award of the Conspicuous Service Cross. He said:

I submit to you that my actions on 19 February 1969 as the commander of the firefighting team demonstrated that I:

- *performed an act of outstanding devotion to duty by insisting on approaching the fire despite the direction of a senior officer that access to it was closed. I then remained at the fire for the full duration of this intense and energy sapping experience;*
- *delivered an outstanding achievement by extinguishing a dangerous fire using exceptional counter-firefighting skills despite having never attended a formal firefighting course; and*
- *by quickly deciding on a plan of action which was based on both the safety of my men and the ability to extinguish the fire in each Bay, I believe that I used exceptional judgement in bringing this large and dangerous fire to a successful outcome without causing injury (or worse) to any of the Sappers nor supporting personnel who were under my command for the duration of the fire.¹⁰*

18. The response from Defence, dated 10 September 2025, claimed that it had carefully considered the facts and reviewed Lieutenant Colonel Hulse’s submission in full, however it considered that he was performing his duties as expected of an officer in an operational theatre and that it was unable to support his application for award of the Conspicuous Service Cross. Defence stated:

It is clear that you performed well in coordinating a small team under challenging circumstances, where the potential consequences were significant. While your conduct contributed meaningfully to the overall outcome, it aligns with the expectations placed on personnel operating in such roles. As an Army officer, that is what you were trained to do, and what your peers were doing within their operational theatre on a daily basis and as such, Defence considered your actions were not significantly above that expected of soldiers performing their normal duties.

⁹ Hulse and the Department of Defence RE: Dunn [2023] DHAAT 10 (9 June 2023)

¹⁰ Lieutenant Colonel Hulse’s application to Defence for the Conspicuous Service Cross, dated 7 August 2023.

and:

While your performance contributed positively to achieving the required outcomes, it has been assessed that your actions during the incident that occurred at Nui Dat in South Vietnam in 1969 fall within the scope of duties expected of personnel in your role. As such, and after careful consideration, Defence is unable to support your application for the award of a Conspicuous Service Decoration.

Lieutenant Colonel Hulse's application to the Tribunal

19. Following Defence's refusal to recommend him for the Conspicuous Service Cross, Lieutenant Colonel Hulse submitted an application to the Tribunal on 10 September 2025, in which he responded to statements made by Defence in its letter of refusal. In particular, Lieutenant Colonel Hulse disagreed with the claim that he did not meet the eligibility criteria for the Conspicuous Service Cross because he was doing what he was trained to do. Lieutenant Colonel Hulse stated:

This statement ignores the fact that I had never received training in firefighting and that this was a unique situation – an enormous fire with explosions and shrapnel flying in all directions. I fail to see how the comparison with my peers operating in their roles on a daily basis could possibly be compared to this highly dangerous and challenging one-time circumstance.

There is no mention of the fact that Staff Sergeant John Barber was awarded the George Medal for his fleeting contribution to fighting that fire, Sappers Trezise awarded the MID and Dunn the Conspicuous Service Medal, all decorated for their contribution while working under my command and control.

...The DH&A letter tells me that I coordinated a small team! I did not just coordinate; I was in command and control of the entire resources used to fight the fire. This demonstrates that Defence did not review my submission in full as claimed in their letter. They did not contact my witness Major-General Murray Blake AM MC to corroborate my claims...

I am not satisfied that the DH&A Assistant Director conducted an effective review of the circumstances under which I operated as the officer-in-charge of the firefighting effort at the Nui Dat ammunition point on 19 February 1969 and request that the DHAAT review that decision please.¹¹

The Defence report

20. Following receipt of Lieutenant Colonel Hulse's application, the Tribunal wrote to the Secretary of the Department of Defence on 11 September 2025, informing him of Lieutenant Colonel Hulse's application for review and requested a report from Defence.

¹¹ Lieutenant Colonel Hulse's application to the Tribunal, dated 10 September 2025.

21. In so doing, the Tribunal requested a merits-based assessment of Lieutenant Colonel Hulse's actions against the eligibility criteria for the honours concerned, a report on the material questions of fact, and reasons for the decision to refuse the original application. The Tribunal also requested copies of documentation relied upon in reaching the decision and any other relevant documents.

22. As set out in the Defence report, following Lieutenant Colonel Hulse's application to the Tribunal, Defence reviewed its original decision of 10 September 2025. It concluded that there was no new information supplied by Lieutenant Colonel Hulse to warrant it amending its decision and recommended that its original decision be affirmed.

23. Defence referred to various contemporaneous records that it claimed did not support Lieutenant Colonel Hulse's statements regarding his actions or the course of the events at Nui Dat in South Vietnam on 19 February 1969. In particular, Defence stated that the *Investigating Officers Report on Explosions at the 1ATF Ammunition Point on 19 Feb 1969* and statements from staff included in that report, as well as contemporary statements from some of the eye-witnesses, all contradicted the information supplied by Lieutenant Colonel Hulse. Specifically, Defence stated:

Defence has identified inconsistencies in statements provided in relation to the fire. Whilst it is understandable that the passage of time and differing perspectives and views at the time of the fire leads to differing memories, there are some inconsistencies that cannot be reconciled.

LT Hulse has described the size of the fire as enormous. This view is not shared by CAPT Fisher or Mr Trezise, who have varying opinions as to the size of the fire.



LT Hulse's assertion that he was in charge of the entire firefighting effort are not supported by the IO Report nor by the statement by CAPT Fisher. From the information available to Defence in the IO Report, LT Hulse was in command of water carriers from A Sqn 3 Cav Regt, 26 Coy RAASC and 1 Fd Sqn RAE. No mention is made of who was in command of resources from D Coy 5 RAR, SAS Sqn personnel, 105 Fd Bty and 26 Coy RAASC. CAPT Fisher notes in his original statement that there was a Squadron Sergeant Major (SSM) supervising a party who were preparing to clear the blinds. LT Hulse statement in the Investigator's report corroborates this: 'The SSM of 1 Fd Sqn Gp RAE, WO2 B. Crisp was in command of the engineer section which was employed on blinds demolition'.

Coordination of resources across the entirety of the incident appear to have been under CAPT Fisher as 1 ATF Fire Officer. CAPT Fisher confirms he in the unit Control Post deployed assets as reports came in.

The IO Report confirms that LT Hulse was a part of a broader team tasked with tackling the fire and its aftermath, and that he was not the principal officer who took the sole command and leadership position.

There are inconsistencies between the statement by LT Hulse and the record of conversation with Mr Trezise and the Mentioned in Despatches (MID) nomination. LT Hulse asserts that he ordered the water truck to come forward and on its arrival instructed the two Sappers to start the pump and begin spraying water onto the burning boxes.

Mr Trezise recounted that he and Sapper Dunn went directly to the fire and commenced firefighting and assisting SSGT Barber. Mr Trezise recalls that there was an explosion that knocked him backwards and under the truck. When he came to his senses, he was assisted by LT Hulse who helped him up and then took control of the fire hose.

Mr Trezise claimed in his contemporary statement that once the team had extinguished the ammunition fire, attention turned to the burning tents. This is also in Mr Trezise's MID nomination (Attachment L): 'When told that three members of the ammunition point staff were thought to be trapped in a burning tent, Lance Corporal Trezise moved forward and searched the tent'.

LT Hulse in his statement makes no mention of when firefighting attention turned to the tents in his paragraphs on fighting the fire. In the Dunn Tribunal report (Reference B) LT Hulse asserts that Mr Trezise was with him for the duration of the firefighting efforts and did not go into a tent to check on three personnel or put out the fire in the tent.¹²

Lieutenant Colonel Hulse's comments on the Defence report

24. Consistent with the Tribunal Procedural Rules, the Tribunal provided a copy of the Defence Report to Lieutenant Colonel Hulse on 11 December 2025 and asked him to provide any comments he may have in relation to the report. Lieutenant Colonel Hulse responded on 19 December 2025.

25. In his response to the Defence report, Lieutenant Colonel Hulse sought to clarify what he believed was the *confusion of facts, a number of inconsistencies and broad generalizations which have resulted in the report containing misinformation and lapses of accuracy*, which he said was *mainly due to the writers of the report not conducting a robust due diligence check by consulting the sequence of events that unfolded at the*

¹² Defence report, dated 9 December 2025.

*IATF Ammunition Point fire on 19 February 1969 prior to their questioning of the witnesses.*¹³

26. In particular Lieutenant Colonel Hulse refuted the following broad claims in the Defence report:

- that Lieutenant Colonel Hulse was not the officer in charge of the ammunition point firefighting effort, and he challenged Defence's interpretation of the Investigating Officer's report;
- the claim from Mr Trezise that he and Mr Dunn proceeded to the location of the fire in a water tanker when they became aware of it and separate to Lieutenant Colonel Hulse. Rather Lieutenant Colonel Hulse said that he was allocated the two soldiers by the Transport Officer, Sergeant Rogers;
- the claim that Mr Trezise conducted a search for three personnel thought to possibly be in a burning tent, claiming that Trezise was with him for the duration of the firefighting efforts and did not go into a tent to rescue three personnel;
- [REDACTED]
- claims made by Defence, labelled as broad generalisations by Lieutenant Colonel Hulse, over his leadership and courage during the event, coupled with the view that he was doing what was expected of an officer during warlike operation; and
- incorrect claims regarding the role of engineers at that time during warlike and non-warlike operations.

27. Lieutenant Colonel Hulse concluded by stating the following:

There can be no doubt that LT Hulse was in command and control of the IATF AP firefighting element which included two Sappers on water hoses, the SSM of 1 FD SQN WO2 Barry Crisp and his team of combat engineers and every water truck and its team of driver/operators on 19 February 1969.

The notion that the success of the firefighting effort was due to SSGT Barber's action while at Bay B is seriously challenged. The notion that Sappers Trezise and Dunn departed 1 FD SQN in a water truck and commenced firefighting duties plus assisted SSGT Barber remove ammunition boxes is a fantasy. It did not happen as described by Mr Trezise and the Defence team.

The notion that there were other units involved in the AP fire is a fallacy. They were not. They were restricted to their local unit areas well away from the scene of the fire.

¹³ Lieutenant Colonel Hulse response to the Defence report, dated 19 December 2025.

*The attempt by the Defence authors to minimise the actions of LT Hulse as the Commander of the AP firefighting team and the engineers who cleared the access road is lamentable and must be addressed.*¹⁴

Request for further information from Defence following Lieutenant Colonel Hulse's response to the Defence report

28. Noting the strong disparity in views regarding the facts of the involvement of personnel in, and the circumstances of, the fire on 19 February 1969, the Tribunal forwarded Lieutenant Colonel Hulse's response to the Defence report back to Defence. The Tribunal requested a detailed reply, including whether Defence maintained the factual accuracy of its report on each of the issues challenged by Lieutenant Colonel Hulse. This was sought to give the Tribunal a clearer indication of the factual matters in dispute on which it would need to focus at the hearing.

29. Defence's response, dated 13 February 2026, maintained that its merit assessment was based on a number of contemporaneous and contemporary pieces of evidence, which included:

- the Investigating Officer's Report;
- eye-witness statements on the explosion at the 1 ATF AP;
- statements from four eye witnesses to the explosion and fire;
- Mr Trezise's Mentioned-in-Despatches citation;
- the Defence Honours and Awards Appeals Tribunal Report *Hulse and the Department of Defence Re: Dunn* [2023] DHAAT 10 (9 June 2023); and
- Lieutenant Colonel Hulse's Service Records.

30. Defence stated:

*Defence maintains that its report presents the facts as supported by the available evidence. Having considered that evidence and reviewing LTCOL Hulse's submission, Defence's position remains unchanged. While it is clear that LTCOL Hulse performed well in coordinating a small team in challenging circumstances, his actions during the fire at 1ATF AP on 19 February 1969 do not meet the threshold of a Conspicuous Service Decoration.*¹⁵

31. Additionally, Defence provided a matrix document outlining its assessment of the key areas of conflicting views on the facts.

¹⁴ Lieutenant Colonel Hulse response to Defence report, dated 19 December 2025.

¹⁵ Response to request for information, Department of Defence, dated 13 February 2026.

Lieutenant Colonel Hulse's response to Defence's correspondence of 13 February 2026

32. On 16 February 2026, the Tribunal forwarded Defence's response to the Tribunal to Lieutenant Colonel Hulse.

33. Lieutenant Colonel Hulse responded on 18 February 2026, restating that Defence had not grasped his role in the events and that it did not understand the difference between command and control. Lieutenant Colonel Hulse reiterated that he was *nominated by the IATF Fire Officer, Captain Robert Fisher, to go to Nui Dat Hill, conduct a fire reconnaissance and take charge of the fire fighting effort.*¹⁶

34. Lieutenant Colonel Hulse maintained that he had the support of the two significant commanders above him, Major General Blake and Captain Fisher, for his actions on the day of the fire. [REDACTED]

Previous Tribunal consideration of the events of 19 February 1969

35. The Tribunal previously reviewed the events of 19 February 1969 and the involvement of various personnel in the case of *Hulse re: Dunn*.¹⁷ Relevant extracts from the Tribunal's report in that case are set out below.

Official History

39. *There is no mention of the event in the relevant chapter of Australia's official history of its involvement in the Vietnam War.*¹⁸

Official history of the Royal Australian Corps of Engineers Royal, Australian Engineers, 1945 to 1972

40. *As supplied with the Defence report, a Royal Australian Corps of Engineers 2002 publication states the following in relation to the event:*

On 19 February 1969, a fire started in IATF ammunition point on Nui Dat hill. It started in the UXB bay and spread rapidly after an UXB exploded and scattered burning pieces across the hill. Capt G Hulse

¹⁶ Lieutenant Colonel Hulse response, dated 18 February 2026, to Defence correspondence of 13 February 2026.

¹⁷ Hulse and the Department of Defence RE: Dunn [2023] DHAAT 10 (9 June 2023)

¹⁸ McNeill I and Ekins A. (2003), *Official History of Australia's Involvement in South East Asian Conflicts 1948 – 1975: On the Offensive, the Australian Army in the Vietnam War 1967-1968*, (First edition) Crows Nest, NSW, Allen and Unwin in association with the Australian War Memorial.

commanding the plant troop of 1 Field Squadron at the time relates his experiences:

'The squadron second in command, Captain Bob Fisher sent me to the hill to take charge of firefighting and also to carry out a reconnaissance to find areas for bulldozers to construct fire breaks. With me were L/Cpl M Trezise and Sapper M. Dunn. On our arrival it was obvious that the fire was out of control and ammunition in the bays was exploding.

'On approaching the ammunition point we were stopped by a road block formed by Maj M.P Blake who was accompanied by an RAAOC ammunition technician. We were refused entry but I argued that the fire could be contained in the ammunition point itself and insisted that firefighting was our (RAE) responsibility. Major Blake agreed that my group could pass through.

'After putting the fire out in the first bay, we continued from bay to bay fighting that fire. We were supported by every water tanker in the task force and a large squad of Sappers from 1 Field Squadron. The Deputy Commander of the Task Force, Col. K. S. Mackenzie congratulated the Sappers on extinguishing the fire.

*'LCpl M. Trezise was awarded an MID but Spr Dunn who had been equally deserving was not rewarded for his bravery, nor was Hulse whose initiative and leadership were big factors in putting out this dangerous fire.'*¹⁹

Australian War Memorial records

41. *The Australian War Memorial has a copy of the Department of the Army file and record of the fire. Included in the file is the Investigating Officer's Report into Explosions at 1ATF Ammunition Point on 19 Feb 69, prepared by Captain B.A. Young.²⁰ The report, which was also supplied in the Defence report,²¹ notes that (then) Lieutenant Hulse commanded a team that was despatched to extinguish the fire, and includes a copy of his statement to the investigating officer. The report does not mention either Lance Corporal Trezise or Sapper Dunn. Additionally, the investigating officer did not interview Lance Corporal Trezise or Sapper Dunn, and Sapper Dunn's name does not appear anywhere in the file.²²*

19 Extract from the official history of the Royal Australian Corps of Engineers. Brigadier P.J. Greville GBE BE. (2002) *the Royal Australian Engineers, 1945-1972, Paving the Way; the fourth volume of the history of the Royal Australian Engineer*, as supplied with Defence report dated 1 November 2022

20 Australian War Memorial file, AWM103 R371/69/51 - [Headquarters, 1st Australian Task Force (HQ 1 ATF):] Fire - General - ATF Ammo Point, 19 February 1969, accessed 6 February 2023.

21 Investigating Officer's Report into Explosions at 1 ATF Ammunition Point on 19 Feb 69, prepared by Captain B. A. Young, accessed 6 February 2023

22 Ibid

42. Captain Young described the events as follows:

'At approximately 1545 hours on 19 Feb 69 a series of minor explosions occurred from 1 ATF ammunition point located on the side of Nui Dat hill...this was followed by further explosions, which resulted in ammunition debris (i.e., shrapnel, unexploded grenades and artillery shells) being thrown over a wide area. In conjunction with the explosions a grass fire started in the immediate vicinity of the ammunition point, with other isolated fires being started by ammunition debris... The alarm was not raised from the ammunition point as the exposed line was cut by the initial explosions.

'Capt Fisher, 1ATF Fire Officer was contacted by phone at approximately 1545 hrs and he immediately despatched a fire team under the command of Lt Hulse who had gone ahead. Water trucks were at the scene of the fire by 1555 hrs thereby making available an adequate supply of water.

'The team under command of Lt Hulse found it necessary to clear the roadway of unexploded ammunition before any major effort could be made to fighting the fire.

'Additional danger threatened for a period when several ammunition boxes in bay 'B' (containing serviceable WP ammunition) started to burn. The ammunition point NCO IC, Ssgt Barber, recognised the danger and had the bay flooded with water, whereupon he removed three smouldering boxes from the bay. This commendable action undoubtedly brought under control a situation from which there could have been serious consequences.²³

43. The file contains 11 witness statements, none of which reference Sapper Dunn. Lieutenant Hulse was interviewed by Captain Young and his statement includes the following:

'At approximately 1545 hrs 19 Feb 69, I was instructed by Capt. R. Fisher the 2IC of 1 Fd Sqn Gp RAE and 1 ATF Fire Officer, to supervise the use of a water truck and report on whether or not to use earthmoving equipment at a fire which had started at the 1 ATF ammunition point.

'...the RAASC officer informed me that three members of the 26 Coy RAASC who worked at the ammunition point were unaccounted for, and the tent where they normally worked was on fire some 150 metres along the road towards the ammunition bays. I left my vehicle and took a member of the water truck crew on foot to the tent which was on fire in a effort to help anybody should they be trapped in the tent. We could not see into the tent because of exploding ammunition, smoke and flame, so I

²³ Investigating Officer's Report into Explosions at 1 ATF Ammunition Point on 19 Feb 69, prepared by Captain B. A. Young, accessed 6 February 2023

ordered the water truck to advance and sprayed water into the tent. The occupants had escaped as was later confirmed by RAASC officer.

'...I proceeded beyond this point on foot in company with OC D Coy 5 RAR and Ssgt Barber and found some burning ammunition boxes in an ammunition bay. Ssgt Barber informed me that the bay contained CS gas grenades and WP grenades. I then cleared some of the ammunition which I considered to be safe and ordered the water truck to advance to my position.

'On arrival of the water truck a stream of water was directed onto the burning boxes which put the fire out. Ssgt Barber then went into the bay and removed the boxes which had been burning and put them into a safe area. These boxes contained pressure type booby trap switches which are reasonable (sic) safe even in a fire.

*'I then directed all the water trucks to pump water into areas which were burning or smoking. The unserviceable ammunition bay was flooded with water and all ammunition which lay in and around the remains of that bay were wetted in an attempt to cool them off to facilitate ease of handling where possible.'*²⁴

Lieutenant Colonel Hulse's contemporary statement of events.

44. *As per the Defence report, Lieutenant Colonel Hulse's application to Defence included a statement of the events that took place on 19 February 1969 at the Ammunition Point of the 1 ATF at Nui Dat in South Vietnam. Lieutenant Colonel Hulse supplied the same statement to the Tribunal as part of his 2018 application.*

'The explosions in the 1ATF Ammunition Point shook every quarter of the Task Force area. A huge pall of smoke rose high above Nui Dat Hill where the ammunition point was located. It became apparent very quickly that a big fire was raging in the Ammunition Point, close to where the SAS Squadron was housed.

'...Captain Fisher sent for the Troop Commander of the 1FD SQN GP Plant Troop, Lieutenant George Hulse, briefed him on the requirement and asked for a quick reconnaissance of the fire. Hulse rounded up two drivers from Sqn HQ and two vehicles. One was his own command vehicle fitted with radio, and the other a water truck fitted with pump. The drivers were Sapper Michael Dunn and Sapper David Trezise.

'...at the crossroads where one road branched to the SAS lines and the other continued downhill to the Ammunition Point, Hulse came upon a roadblock. It was manned by soldiers of D Company 5RAR commanded

²⁴ Australian War Memorial file, AWM103 R371/69/51 - [Headquarters, 1st Australian Task Force (HQ 1 ATF):] Fire - General - ATF Ammo Point, 19 February 1969, accessed 6 February 2023

by Major Murray Blake. Major Blake had by his side, the 1ATF Ammunition Technical Officer, Staff Sergeant Barber who had decided that the fire was too dangerous to control and that the area be abandoned. SSgt Barber had condemned the entire ammunition point as the fire had now spread to Bays B and C and heat was affecting the ammunition in Bay D. The smoke, noise and heat were intense and it was a dangerous place to be. Major Blake stopped Hulse from entering the area...

'Hulse then politely remonstrated with Major Blake that it was one of the roles of the army engineer to deal with fires...Major Blake agreed and lifted the roadblock.

'Hulse, Dunn and Trezise drove in to Bay D, reversed the water truck against the blast protecting bund between the two ammunition bays and started pumping water at the blazing boxes in Bay C...Hulse's counter-fire strategy was to start in Bay C, then when that was just a heap of steaming smoke, go on to Bay B, and then on to Bay A where bombs were still exploding. Bay A took most of the water and there was a time when three water trucks at a time were being used to fight the fire in that Bay.

*'Sappers Dunn and Trezise stayed with Hulse for the entire time. They were both given the opportunity to return to the safety of the unit area when more Sappers arrived, but they both refused to leave even after they were red eyed, weary, and sweating profusely.'*²⁵

45. *The Defence Report included a letter of support for Sapper Dunn's nomination from Major General Murray Blake AO MC (Retd) who was the OC D Company 5 RAR at the time of the fire. The then Major Blake was not interviewed by the Investigating Officer for the report on the fire. Major General Blake stated:*

'Soon after setting up the road block the then Lt Hulse arrived and explained he had been tasked to fight the fire. SSgt Barber and I briefed him on the situation and why we had evacuated the dump. Lt Hulse was insistent that he at least view the situation in person so he could assess whether a firefighting operation was viable. I reluctantly agreed and was subsequently surprised when he opined he thought there was a chance of being able to extinguish the fire. He then set about organising water trucks tasking the two soldiers with him (Sappers Trezise (sic) and Dunn) and was ultimately successful in dousing the fire and preventing a disaster.

'The actions of Lt Hulse, Sapper Trezise (sic) and Sapper Dunn were certainly above and beyond the normal expectation of being exposed to danger in an operational environment. The risk of death or serious injury was highly probable – testimony to the courage and disregard for their

²⁵ Lieutenant Colonel Hulse statement of events, 1 ATF Ammunition Point Fire 19 February 1969, as supplied with Defence Report, 1 November 2022

*own safety that was necessary to function in such a dangerous environment.'*²⁶

Awards arising from the 1 ATF Ammunition Point fire on 19 February 1969

46. *As per the Defence report, following the 1 ATF Ammunition Point fire on 19 February 1969, two Army personnel received awards.*

47. *Staff Sergeant Barber received the George Medal, as recommended by the Task Force Commander, Brigadier Pearson, for his actions during the incident. His citation reads:*

Staff Sergeant James Robert Barber enlisted in the Australian Regular Army on 9th April 1951 and was allotted to the Royal Australian Army Ordnance Corps. He arrived in South Vietnam on 10th September 1968 as an Ammunition Technician and was responsible for the operation of the 1st Australian Task Force Ammunition Point at Nui Dat.

On 19th February 1969 Staff Sergeant Barber was driving to the Ammunition Point when a bay of ammunition caught fire and exploded. A series of explosions followed which resulted in ammunition being scattered over a wide area and numerous fires being started. Staff Sergeant Barber despatched his driver and vehicle to raise the alarm while he proceeded on foot to ensure that all personnel at the Ammunition Point were safe. Having established this, he then surveyed the area to determine whether any other bays of ammunition were threatened. Although both high explosive and white phosphorous ammunition were still exploding and debris and unexploded ammunition falling around him he completed this hazardous task.

He then realised that the ammunition bay adjacent to the one burning was in danger of being ignited. This bay contained predominantly white phosphorous ammunition and if it caught fire the remaining bays of ammunition would have been set off. With complete disregard for his own personal safety, Staff Sergeant Barber moved up to the threatened ammunition bay as soon as the immediate fire had been subdued. He then calmly and efficiently inspected its content and dragged clear a number of smouldering cases of ammunition. Throughout the entire operation he was in grave danger of ammunition in this and the adjacent bay exploding from the heat it had absorbed in the initial fire.

By his cool and courageous actions Staff Sergeant Barber prevented the fire spreading to the remaining twenty tons of ammunition stored in the Ammunition Point and so averted a major disaster. He was subsequently

²⁶ Letter of Support from MAJGEN Murray Blake AO MC Retd, 19 November 2018, as supplied with Defence report

injured while destroying ammunition which had been damaged during the fire and explosions.²⁷

48. *Lance Corporal Trezise received the MID, as nominated by Major Morphett for his actions during the incident. His citation reads:*

Lance Corporal David Trezise commenced his National Service obligation on 12th July 1967. On completion of his recruit and corps training he was posted to 21st Engineer Support Troop, Royal Australian Engineers and arrived in South Vietnam on 14th May 1968.

At approximately 1545 hours on 19th February 1969 a bay of defective ammunition in the task force ammunition point exploded, scattering ammunition and causing fires over a wide areas. Lance Corporal Trezise attended the fire as a member of the two man crew of a water truck.

When told that three members of the ammunition point staff were thought to be trapped in a burning tent, Lance Corporal Trezise moved forward and searched the tent. After ensuring nobody was inside he resumed fighting the fire.

At about 1615 hours the fire fighting team was able to approach the ammunition bay. Lance Corporal Trezise then directed water onto a stack of burning grenade boxes and fought the fire from close range until it was extinguished.

Lance Corporal Trezise carried out his duties in a calm and efficient manner, disregarding the hazards he was exposed to. His actions reflect great credit on himself and his corps.²⁸

Conduct of the Hearing

36. The hearing was held in Canberra on Friday 29 May 2026.
37. In addition to the members of the Tribunal, Lieutenant Colonel Hulse attended in person, as did the following Defence officials:
- a. Ms Allison Augustine - Director, Honours and Awards;
 - b. Mr Tyson Pan – Assistant Director, Honours and Recognition; and
 - c. Mr Pat Jones AFSM - Bravery Awards Manager;
 - d. Ms Jen Robinson - Manager, Honours Reviews.

²⁷ Recommendation for Honours and Awards, Staff Sergeant James Robert Barber, 12 March 1969, as included in the Defence Report dated 1 November 2022

²⁸ Recommendation for Honours and Awards, Lance Corporal David Lloyd Trezise, 13 March 1969, as included in the Defence Report dated 1 November 2022

38. The following Defence officers attended and participated via audiovisual link:

- a. Colonel Dan Bennett CSC – Historical Honours Review Officer; and
- b. Lieutenant Colonel Chris Gates – Historical Honours Review Officer.

39. Other Defence personnel, including Major James Fardell (SO1 Army Ceremonial), attended as observers, either in person or on-line.

40. Given the extent to which, in the papers before the Tribunal, Defence had challenged the factual account advanced by Lieutenant Colonel Hulse, in an ideal world the Tribunal would have called and sought evidence from a number of witnesses who were participants of direct relevance to the events of 19 February 1969. In addition to Lieutenant Hulse, these would have included:

- a. Captain Fisher, the ATF Fire Officer who ordered Lieutenant Hulse to attend the fire;
- b. Major General Blake, who attended the fire prior to Lieutenant Hulse;
- c. Mr John Barber, who attended the fire prior to and after the arrival of Lieutenant Hulse;
- d. Mr Dunn, who attended the fire with Lieutenant Hulse;
- e. Mr Trezise, who attended the fire with Lieutenant Hulse;
- f. Mr Barry Crisp, who attended the fire with a number of other Sappers at the direction of Captain Fisher after a request for assistance made by Lieutenant Colonel Hulse; and
- g. Captain Bruce Young, who undertook an inquiry into the fire after the event.

41. Regrettably, Messrs Barber, Dunn and Crisp are each now deceased. Captain Fisher initially agreed to attend and give evidence at the hearing, but the Tribunal was subsequently advised that a change in his health status meant that was no longer possible.

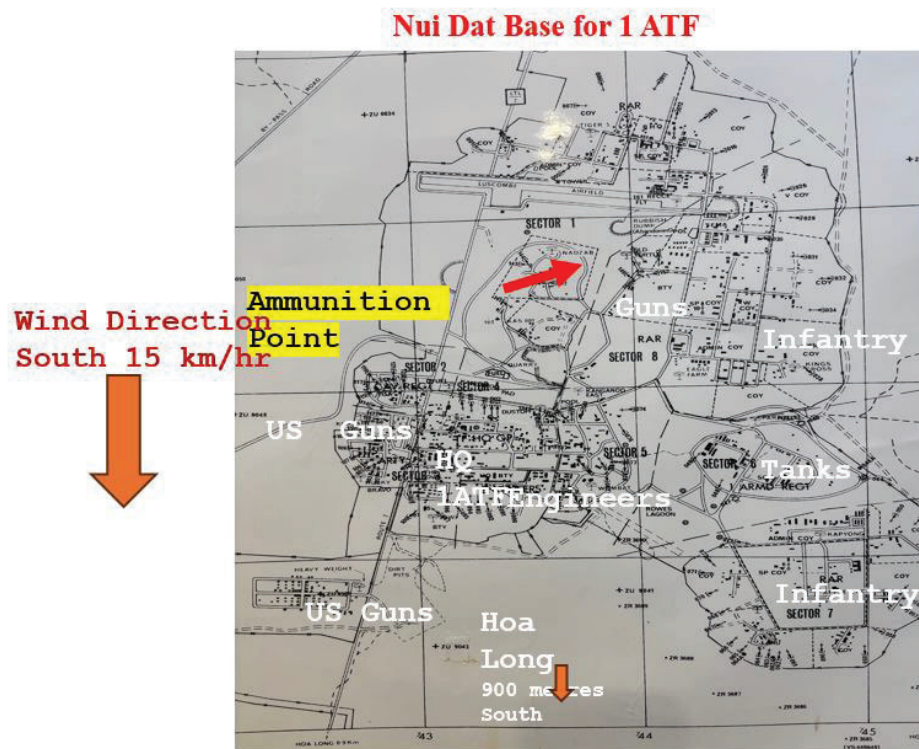
42. However, Major General Blake, Mr Trezise and Mr Young did participate in the hearing and gave evidence via audio or teleconferencing. Their evidence is analysed further below. The Tribunal thanks each of them for their participation and assistance. Major General Blake had also appeared as a witness in the matter of *Hulse and the Department of Defence re: Dunn*, which related to the events of the same day under consideration in this matter, and the Tribunal additionally had regard to the evidence he gave on that occasion in considering the present application.

43. At the commencement of its opening address to the Tribunal, Defence acknowledged not only Lieutenant Colonel Hulse's service in the ADF but also his subsequent advocacy on behalf of other ADF veterans. Lieutenant Colonel Hulse has been instrumental in securing medallion recognition for other ADF veterans, including in a number of significant cases where he has successfully challenged before the Tribunal

Defence decisions refusing such recognition.

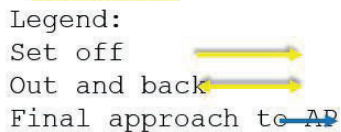
44. While the Tribunal similarly acknowledged Lieutenant Colonel Hulse's advocacy efforts on behalf of others, the Tribunal members constituting the panel for the consideration of the present review considered that such activity on his part was an irrelevant matter in relation to the present review. Accordingly, they focussed their attention solely on assessing the evidence of Lieutenant Colonel Hulse's actions on the day in question and the application of the relevant eligibility criteria to those actions.

45. At the commencement of the hearing, Lieutenant Colonel Hulse presented and spoke to a number of maps showing the location of the Ammunition Point and the route he said that he travelled in getting to it. The Tribunal found these to be of significant assistance as they greatly enhanced the understanding that it was otherwise able to gain from the dark and distant aerial photograph that had been included in the Defence report. Those maps are reproduced below to assist in a better understanding of the factual issues discussed below.



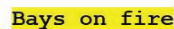
Legend:

- Set off
- Out and back 
- Final approach to AP 



Bays on fire

- Nui Dat Hill is a prominent hill feature, with a steep fall on the Eastern side.
- The access road from Bays EFG is downhill toward Bay A. The road is one-lane bitumen.
- The bays have been slotted into the side of the hill leaving side walls of at least 1 metre thickness between them and about 1.2 metres high.
- The floor of the bays was crushed quarry rock capable of carrying light vehs and FL and has a fall toward the road.
- The ammunition was stacked on pallets with some spaces between differing ammunition types.



Not to scale.
Representational
only

47. A copy of that submission was provided to Lieutenant Colonel Hulse for his information and any comment he wished to offer, which he did on 6 July 2026. Matters raised in those comments are also dealt with later in this report, so far as required.

48. A copy of Lieutenant Colonel Hulse's comments was provided to Defence, which provided a letter in response on 8 July 2026. Again, matters raised in that letter are dealt with later in this report.

Tribunal analysis

49. Throughout the balance of this report, in order to better contextualise the events described and analysed, relevant ADF individuals are referred to by the rank they held on 19 February 1969, the day of the fire in issue.

Was the application for a Conspicuous Service Cross appropriately directed?

50. Lieutenant Hulse was in Vietnam during a warlike operation. Service on such operations may be honoured by a Distinguished Service Decoration or an Australian Gallantry Decoration. However, Lieutenant Hulse's application to Defence was for a Conspicuous Service Cross, which may be awarded for service in a non-warlike situation.

51. The same situation arose on the case of *Hulse re: Dunn*, which concerned the same fire as the present case. In its decision in that matter the Tribunal said:

56. A threshold question is whether or not the CSM can be issued in the circumstances described above. The eligibility criteria specify that it is only available for service in 'non-warlike situations'. As noted above, Brigadier Bornholt had based his decision to refuse to recommend on the grounds that Sapper Dunn was on warlike service, as the Vietnam War was declared to be a 'warlike operation'.

57. The Tribunal noted however that the Regulations refer to 'non-warlike situations' and not to 'non-warlike operations', 'non-warlike service' or any other similar descriptor. It thus asked Brigadier Bornholt whether it was not possible that within the broader context of a 'warlike' operation, there might be individual situations that were 'non-warlike'. Brigadier Bornholt agreed that this could be the case.

58. The Tribunal then considered whether or not the time and place of the fire could properly be considered to be a 'non-warlike situation'. Lieutenant Colonel Hulse's uncontested evidence was that the fire was not started by enemy action. The fire was not fought under enemy threat nor enemy interference. This was purely and simply an enormous fire. The Tribunal was thus satisfied that the 'situation' in which the fire was fought was 'non-warlike', albeit that it occurred within the broader context of a 'warlike' operation.²⁹

²⁹ Hulse and the Department of Defence re: Dunn [2023] DHAAT 10

52. The Tribunal's recommendation that Sapper Dunn should be awarded a Conspicuous Service Medal for his actions in fighting the fire was not opposed by Defence and was agreed by the Minister and the Governor-General. Inherent in that process is an acceptance that a non-warlike situation may occur within the broader context of a warlike operation.

53. The Tribunal was thus satisfied that Lieutenant Hulse's application had been appropriately directed towards a Conspicuous Service Decoration.

Lieutenant Hulse's factual account

54. The account of the events of 19 February 1969 advanced by Lieutenant Hulse, partly in his written submissions and partly in his oral evidence at the hearing, may be summarised as follows:

a. While the Army Fire Service had been formed some time before the events in question to perform a specialist function previously undertaken by members of the Royal Australian Engineers, it had no presence at Nui Dat on the day in question.

b. Captain Fisher, as ATF Fire Officer, summoned Lieutenant Hulse, Troop Commander of the 1 Field Squadron Plant Troop, and directed him to attend the fire which had broken out at the Ammunition Point on Nui Dat Hill and undertake a reconnaissance.

c. Captain Fisher and Lieutenant Hulse were each members of the Royal Australian Engineers.

d. While waiting for Lieutenant Hulse to arrive to receive his orders direct from Captain Fisher, Captain Fisher had arranged for a water tanker to be readied to accompany Lieutenant Hulse to the fire scene.

e. On arrival, Lieutenant Hulse approached the 1 ATF Transport Officer, Sergeant Rogers, who allocated a driver to accompany him in his command vehicle (which he had driven himself to meet with Captain Fisher as he considered his regular driver, Sapper Yates, to be unavailable for a fire-related task because he was undertaking vehicle repairs and his skin and clothing was contaminated by highly inflammable liquids) and a second driver for the water truck that Captain Fisher had already directed to be made ready.

f. Sergeant Rogers designated Sappers Dunn and Trezise and directed them to comply with Lieutenant Hulse's requirements.

- g. Sapper Trezise drove Lieutenant Hulse's command vehicle.
- h. Sapper Dunn drove the water truck.
- i. Due to its size and weight, the water truck could not keep pace with the command vehicle and had to catch up to it as best it could.
- j. Rather than taking the most direct route to the Ammunition Point from the south, Captain Fisher had agreed that Lieutenant Hulse should follow the perimeter road to the west and approach the Ammunition Point from the north due to the extent of smoke being blown by the wind to the south at 15 km/h.
- k. Lieutenant Hulse could not reach the Ammunition Point coming from that direction because the road was blocked by an unexploded mortar grenade.
- l. At that same point, he met Captain Bailey of the Ordnance Corps, another Captain who he did not recognise and a number of soldiers under Captain Bailey's command, together with a water truck that belonged to Captain Bailey's unit but had not been used to combat a fire in an adjacent tent used by Ammunition Point personnel, which was engulfed in flames and blazing fiercely. Captain Bailey was the officer responsible for the Ammunition Point. Captain Bailey advised Lieutenant Hulse that a number of his Ammunition Point personnel were unaccounted for and may have been trapped in that tent.
- m. Lieutenant Hulse directed one of Captain Bailey's sappers to stand guard over the unexploded grenade so as to prevent anyone triggering it by passing along that section of the road.
- n. As soon as Sapper Dunn arrived with the water truck, Lieutenant Hulse directed that water be directed at the tent. Sapper Dunn manned the pump on the water truck, while Sapper Trezise manned the branch on the attached hose. When it became apparent that there were no personnel in the tent, Lieutenant Hulse directed that no further water be sprayed to fully extinguish the fire affecting it, in order to preserve as much water as possible to fight the fire at the Ammunition Point itself.
- o. At this stage Lieutenant Hulse contacted Captain Fisher by radio to advise his assessment of the situation as it then stood, and it was agreed that Lieutenant Hulse should retrace his route to enable him to better conduct the reconnaissance by approaching the Ammunition Point from the south. Lieutenant Hulse advised Captain Fisher that, if the fire was to be fought, he would require additional water tankers and a number of Sappers to clear the road of debris scattered by explosions of ordnance at the Ammunition Point. Captain Fisher agreed that Lieutenant Hulse should undertake fire-fighting if he assessed that this was

achievable, and undertook to arrange these additional resources.

p. A couple of the additional water trucks arranged by Captain Fisher arrived before Lieutenant Hulse had set off to approach the Ammunition Point to the south.

q. Lieutenant Hulse and Sapper Trezise then proceeded in the agreed direction in the command vehicle. Sapper Dunn could not immediately follow them as, before he could drive the water truck in the same direction, he had to make a difficult multi-point turn on the narrow road, which was partly blocked by the two additional water trucks.

r. Before he could reach the Ammunition Point itself, Lieutenant Hulse's progress was stopped by a road block which had been established by Major Blake and Staff Sergeant Barber about 30 metres south of it. Major Blake advised Lieutenant Hulse that he and Staff Sergeant Barber had abandoned the Ammunition Point because Major Blake had assessed that it was too dangerous to be there because of the fire and exploding ordnance.

s. Notwithstanding that Major Blake was senior in rank to him, Lieutenant Hulse argued that he should be allowed to proceed to the Ammunition Point to conduct the reconnaissance required of him by Captain Fisher and to commence firefighting if he considered it appropriate. He argued that it was an engineer's role to fight fires. Major Blake eventually agreed to this, and then returned to base as he considered that there was nothing he could contribute to assessing or fighting a fire.

t. Staff Sergeant Barber then walked with Lieutenant Hulse to the Ammunition Point itself and, while they were walking, informed Lieutenant Hulse about the various contents of the four bays of the Ammunition Point that were fire-affected. When they reached the closest bay, Lieutenant Hulse assessed that the fire could be fought in that and the other affected bays and need not be left to burn itself out.

u. Based on the information provided by Staff Sergeant Barber and his own observations, Lieutenant Hulse's more detailed assessment was that:

- fire had not fully engulfed the ammunition crates in Bay D, was largely confined to the tops of the crates, and could be readily extinguished;
- the ammunition crates in Bay C and the wooden pallets on which they stood were much more deeply engulfed, but again should be able to be extinguished with somewhat greater but reasonable effort;

- Bay B was a 'nightmare' not only because it was more heavily engulfed but more particularly because Staff Sergeant Barber had advised him that it contained 2.5 tons of white phosphorous grenades and a quantity of CS gas crystals and CS gas crystal grenades and he knew, from past experience, that those materials were highly toxic and of long lasting effect if they escaped; and
- the fire in Bay A was the most severe but should be able to be extinguished if the fire in the three other bays could be extinguished or brought under control.

v. He thus directed Sappers Trezise and Dunn to bring their vehicles forward, and directed that water be sprayed on to the closest affected ammunition bay, Bay D. Access to that bay was not impeded by debris on the section of the road leading to it.

w. Lieutenant Hulse directed Sappers Dunn and Trezise, when manning the branch on the fire truck hose, to shelter behind the walls of the bays as best they could, and to direct water onto the fires by raising their heads and arms above the walls, so as to minimise the risk to them from exploding ordnance.

x. Sappers Dunn and Trezise took turns in manning the branch on the hose because this was heavy and strenuous work, while the other manned the pump on the truck.

y. Once fire-fighting had commenced in Bay D, Lieutenant Hulse again contacted Captain Fisher by radio, advised the assessment he had made, and it was agreed that he would undertake fire-fighting with the additional tankers and assistance from the additional Sappers requested in his previous contact with Captain Fisher.

z. Within a short period of time the additional water trucks began arriving, and almost simultaneously Warrant Officer Crisp arrived with a number of Sappers.

aa. Warrant Officer Crisp reported to Lieutenant Hulse and asked what he required to be done. Lieutenant Hulse directed that the Sappers commence clearing the section of the road leading to Bays C, B and A of debris to avoid damage to truck tyres that could have disabled them and thereby blocked access of further trucks. Lieutenant Hulse further directed that each truck should be reversed up to the relevant bay as appropriate when Lieutenant Hulse summoned, in order to avoid the truck being disabled if its radiator and engine was stuck by

exploding ordnance.

bb. Firefighting progressed from Bay D to Bay C to Bay B to Bay A as the fire in each was brought under control.

cc. As each water truck was emptied, the driver was directed to drive back to a base water point to refill it and then return to the Ammunition Point. The selection of water point to be used for this purpose was left to the discretion of the individual driver and was not directed by Lieutenant Hulse.

dd. The flow of the pump on each additional truck was manned by the driver of that truck as directed by Lieutenant Hulse from time to time.

ee. Only Sappers Dunn and Trezise manned the branches on the fire hoses used to direct water on to the fires in bays D, C and B. In respect of those bays, only one water truck and one water hose was used at any time. Sappers Dunn and Trezise relieved one another from time to time as manning the end branch of the hose was physically demanding.

ff. During the fire-fighting, Lieutenant Hulse offered Sappers Dunn and Trezise the opportunity to be replaced by one of the other Sappers who had accompanied Warrant Officer Crisp to the Ammunition Point, but they each declined.

gg. Staff Sergeant Barber, having accompanied Lieutenant Hulse from the road block to the Ammunition Point, did not play any part in fighting the fire, whether by manning a pump or hose or otherwise. At one stage, he did enter one of the bays to carry some non-explosive materials out of it, but Lieutenant Hulse considered this to be both unnecessary and likely to impede more efficient fire-fighting. He thus directed Staff Sergeant Barber to leave the Ammunition Point, which he did.

hh. By the time firefighting commenced at Bay A it was possible to have three water trucks simultaneously close enough to fight the fire in that bay. The three hoses were manned by Sappers Dunn and Trezise and by Lieutenant Hulse personally.

ii. At some point, Lieutenant Hulse noted that the hose that had been manned by Sapper Trezise was flailing about out of control and he turned to see Sapper Trezise appearing to stumble as he sought to regain control of the hose. Lieutenant Hulse directed that the water flow on that truck and on the truck whose hose he had himself been manning should be stopped. He approached Sapper Trezise to see if he had been wounded by being struck by the heavy metal attachments on the hose. He observed no injury to Sapper Trezise's face or arms,

and Sapper Trezise advised Lieutenant Hulse that he was unhurt and wished to resume control of the hose he had been using. Lieutenant Hulse agreed to this and both he and Sapper Trezise resumed firefighting along with Sapper Dunn.

jj. Captain Fisher attended the Ammunition Point briefly during the firefighting and expressed satisfaction with the progress being achieved.

kk. Throughout the fire-fighting, either ordnance was exploding and shrapnel thrown out of the bays or unexploded ordnance was being thrown out of the bays by other explosions within them.

ll. Eventually the fires in all four bays were brought under control, even if not totally extinguished and still smouldering.

mm. At this stage, Captain Fisher attended the scene again, this time in company with the 1 ATF Deputy Commander, Colonel Fitzgerald. Captain Fisher expressed his satisfaction with the firefighting effort, dismissed Lieutenant Hulse and Sappers Dunn and Trezise to return to base, and directed that a piquet be arranged to attend and monitor the Ammunition Point overnight. Colonel Fitzgerald made complimentary comments about the contribution of the engineers.

nn. Around two and a quarter hours later, there were some further explosions but these were in areas outside the Ammunition Point.

oo. Lieutenant Hulse soon afterwards wrote and submitted nominations for medallic recognition for each of Sappers Trezise and Dunn. He was not consulted about either of those nominations. [Staff Sergeant Barber was awarded a George Medal for his involvement in the Ammunition Point fire without any consultation with either Major Blake or Lieutenant Hulse, who were the only officers who were eyewitnesses to his actions on the day. Sapper Trezise was awarded an MID without consultation with Lieutenant Hulse. Sapper Dunn was awarded no medallic recognition until he posthumously received a Conspicuous Service Medal after Lieutenant Hulse appealed to the Tribunal against a decision of Defence to refuse to recommend such recognition.]

55. In its supplementary submission, Defence stated that, at the hearing:

*the Tribunal Chair indicated that he was not concerned about discrepancies between Lieutenant Colonel (LTCOL) Hulse's later written and oral accounts and his contemporaneous statement.*³⁰

³⁰ Supplementary Submission – Lieutenant Colonel George Hulse OAM (Retd) – Hearing 28 May 2026 – Enclosure 1.

56. That is not correct. In his comments and questions, the Chair drew a clear distinction between the addition of new detail not contained in contemporaneous documentation, and inconsistency between current claims and contemporaneous documentation. The correct position is as set out below.

57. In its written submissions to the Tribunal, Defence had taken issue with the fact that, in his submissions to the Tribunal, Lieutenant Hulse had increasingly added more detail to his factual accounts of the day in question, asserting facts that had not previously been mentioned either in contemporaneous documentation or in the course of his pursuit of the defence honour he was now seeking.³¹

58. While agreeing with that observation, the Tribunal considered this to be a completely unremarkable matter. In the experience of the Tribunal members, it is very common for individuals in multiple contexts to expand and expound upon factual accounts as their actions come under deeper consideration. At the hearing, the Tribunal stated that it would draw no adverse inference from this aspect of Lieutenant Hulse's factual accounting unless Defence wished to assert that, in adding further details, Lieutenant Hulse was lying and deliberately fabricating untruths. Defence declined to raise any such assertion.

59. However, in its written submissions, Defence had very clearly raised concerns about aspects of Lieutenant Hulse's emerging factual account, which it said were contradicted by or inconsistent with contemporary documentation or other emerging evidence.³²

60. The Tribunal considered that these concerns were very validly raised by Defence. While the factual account most recently provided by Lieutenant Hulse appeared to be plausible, this did not mean that it was necessarily correct.

61. Accordingly, considerable time was taken at the hearing in exploring those apparent contradictions and inconsistencies. Thus was the purpose of considering whether or not there was:

- a. contrary evidence strong enough to dismiss any of the factual account provided by Lieutenant Hulse;
- b. evidence strong enough to confirm that account; or
- c. evidence which may have been of lesser strength but was nevertheless consistent or inconsistent with Lieutenant Hulse's account.

³¹ Defence Letter to the Tribunal, BN120258568, 13 February 2026.

³² Ibid, and Defence Report to the Tribunal, BN115441359, 9 December 2026.

Contradictory or inconsistent evidence

Contemporaneous documents

The Investigation Report

62. Shortly after the fire, Captain Young was instructed to undertake an investigation into the fire and provide a report. Attached to his report were a number of statements signed by persons said to be providing the information they contained. As outlined below, there are various passages in Captain Young's report and in some of the attached statements that contradict or are inconsistent with the factual account provided at the hearing by Lieutenant Hulse.

63. The Investigation Report states that:

*Captain Fisher, 1 ATF Fire Officer was contacted by phone at approximately 1545 and he immediately despatched a fire team under the command of Lt Hulse who had gone ahead. Water trucks were at the scene of the fire by 1555 hrs thereby making available an adequate supply of water.*³³

64. This statement suggests that Lieutenant Hulse had gone to the Ammunition Point by himself and that Captain Fisher then dispatched a fire team in one tranche, whereas Lieutenant Hulse's factual account asserts that he was sent to the fire with a small team that was later augmented by a second dispatch by Captain Fisher.

65. The Investigation Report states that:

*Additional danger threatened for a period when several ammunition boxes in bay "B" (containing serviceable WP ammunition) started to burn. The ammunition point NCO IC, Ssgt Barber, recognised the danger and had the bay flooded with water, whereupon he removed three smouldering boxes from the bay. This commendable action brought under control a situation from which there could have been serious consequences.*³⁴

66. This statement is inconsistent with Lieutenant Hulse's factual account –

[REDACTED]. He also said that the bays were constructed in such a manner that they could not be "flooded" but rather to allow water to drain out of them to the roadway so that stored ammunition would not be damaged by sitting in water from heavy tropical rain.

³³ Investigating Officers Report on Explosions at 1 ATF Ammunition Point on 19 Feb 1969.

³⁴ Ibid.

67. Perhaps more importantly, it is inconsistent with the evidence of others. Major Blake said that Staff Sergeant Barber had no capacity to apply water to the fire while he was with him at the Ammunition Point, and that he and Staff Sergeant Barber had withdrawn from the Ammunition Point because they could not bring the situation under control. Captain Fisher in his statement attached to the Investigation Report and in his email to Defence (discussed below) credits Lieutenant Hulse and his team with bringing the fire under control.

68. In the view of the Tribunal, this passage of the Investigation Report cannot be accepted as invalidating any aspect of the factual account asserted by Lieutenant Hulse. Rather, it appears that the Report may have misconstrued what Captain Young was told by those he interviewed about the fire-fighting process, which would not have been surprising both because of the complexity of the process and because that process was not the primary focus of his investigation.

69. The Investigation Report states that:

*The team under command of Lt Hulse found it necessary to clear the roadway of unexploded ammunition before any major effort could be made to fighting the fire.*³⁵

70. Lieutenant Hulse's factual account asserts that Bay D firefighting was well under way before the arrival of the additional sappers who cleared the roadway.

71. In the view of the Tribunal, these were only minor inconsistencies. Moreover, Captain Young's evidence at the hearing made it clear that the focus of his investigation was on the cause of the fire rather than on how it was fought, because he had been satisfied that the fire had been fought effectively and efficiently.

72. It should also be noted that these particular passages in the report also provide a degree of confirmation of the claim made by Lieutenant Hulse and contested by Defence that he was in command of the fire-fighting team that included the water trucks (in the plural) and those who cleared the roadway.

73. More significantly, the attached statement signed by Lieutenant Hulse contains the following passages that are at least to some extent inconsistent with the factual account he asserted to the Tribunal:

We could not see into the tent because of exploding ammunition, smoke and flames, so I ordered the water truck to advance and sprayed water into the tent. The occupants had escaped as was later confirmed by the RAASC officer.

³⁵ Ibid.

...

At this point water carriers from A Sqn 3 Dav Regt, 26 Coy RAASC and 1 Fd Sqn RAE arrived and I took command of those vehicles. I ordered the vehicles to proceed to the eastern side of Nui Dat Hill because the wind was blowing the fire onto itself in the tent area. Further action in this area was dangerous and unnecessary.

...

As I proceeded along the road towards the ammunition point I was stopped by the OC D Coy 5 RAR who had under his command a strong party of fire fighters. I was informed by a SSGT Barber of TFMA that further movement along the road was impossible because of blind ammunition along the route. I proceeded beyond this point on foot in company with OC D Coy 5 RAR and Ssgt Barber and found some burning ammunition boxes in an ammunition bay. Ssgt Barber informed me that the bay contained CS gas grenades and WP grenades, I then cleared some of the ammunition which I considered to be safe and ordered the water truck to proceed to my position.³⁶

74. These statements suggest that all, rather than just some, of the additional water trucks arrived at the location of the tent fire rather than later at the Ammunition Point, that Major Blake accompanied Lieutenant Hulse and Staff Sergeant Barber on the walk from the road block to the Ammunition Point rather than just Staff Sergeant Barber, and that Lieutenant Hulse personally removed ammunition from at least one of the bays rather than Sergeant Barber doing so.

75. At the hearing, Lieutenant Hulse acknowledged that he had signed a statement that was inconsistent in some respects with the factual account he now asserted. The Tribunal pressed him on why he had done so. He said that he had not written the statement he signed, but that it had been written by Captain Young or those assisting him after he had been interviewed. He said that he recognised at the time what he claimed to be errors in the statement, but did not press for them to be corrected. When asked why he had not insisted on the statement being corrected before he was prepared to sign it, he said that:

- a. by the time the statement was presented to him he was busy with other matters directly involved in supporting the war itself;
- b. because the focus of the report was on the cause of the fire rather than on the fire-fighting effort itself, he felt that correcting the errors would make no difference in the outcome of the investigation; and

³⁶ Statement of Fire Fighting Team Commander 213644 Lieutenant G.L. Hulse, 2 March 1969.

c. he perceived that Captain Young was under significant pressure to complete his investigation and would not have wanted to be distracted from his main purpose by the ‘nuisance’ of Lieutenant Hulse insisting on correction of errors that were only secondary to that purpose.

76. Lieutenant Hulse also said that he had not mentioned to Captain Young his interactions with Staff Sergeant Barber at the Ammunition Point because he had been instructed by Captain Fisher not to raise that matter, and it was thus not reflected in the statement prepared by Captain Young for signature by Lieutenant Hulse.

77. In his evidence at the hearing, Captain Young confirmed that his primary purpose in conducting the inquiry was to ascertain the cause of the fire and what might need to be done to ensure that it could not recur, and that he was not particularly focussed on the fine details of how it had been fought, because he was satisfied that the fire-fighting effort had been timely, efficient and effective.

78. Captain Young said that he did not have administrative assistance in preparing the report and its attached statements, but had typed all those documents himself. He said that the text of the statements he put to each of those he interviewed were based on what he understood they had told him. He agreed that he was keen to complete the investigation as soon as possible as he was concerned about ‘bad press’ from accompanying journalists if concerns about the fire were not quickly resolved, but said that he had otherwise not viewed himself as being under particularly great pressure to do so.

79. Finally, Captain Young said that it formed no part of his investigation to consider the performance of individuals engaged in the fire-fighting, whether against the criteria for medallic recognition or otherwise, and that he had not been consulted about any proposals for medallic recognition of anyone involved in the fire.

80. The Tribunal considered it important to note that, aside from these inconsistencies, the statement signed by Lieutenant Hulse did provide a not-insignificant degree of confirmation of a number of other aspects of the factual account he provided to the Tribunal.

81. In the net result, the Tribunal considered that the statement inconsistencies were relatively peripheral and that, while Lieutenant Hulse could warrant some criticism for signing something that he did not believe to be entirely correct, his reasons for doing so were not irrational. The Tribunal noted, that at the time, Captain Young would have had no access to modern word processing capabilities and that correcting errors on matters incidental to his main purpose may well have been reasonably regarded by him as a ‘nuisance’.

82. Viewed in the larger context, the Tribunal considered that these inconsistencies between the statement signed by Lieutenant Hulse in 1969 and the factual account he advanced at the hearing decades after in a context that he could not have anticipated at the time he signed that statement.

83. The statement attached to the investigation report signed by Staff-Sergeant Barber is comparatively brief. Clearly it did not represent a comprehensive statement of Staff Sergeant Barber's involvement in the events of the day. For example, it did not detail his two periods at the fire, first with Major Blake and later with Lieutenant Hulse, the establishment of the road block, the fire-fighting conducted by Sappers Dunn and Trezise, or the presence of multiple fire trucks and drivers and Warrant Officer Crisp and the other sappers.

84. In the little that it did say, however, it contradicted the factual account of Lieutenant Hulse in that it said that *I was able to get close enough to see that several boxes were already burning three of these containing 'pull release switches'. I pulled them out to the other side of the road and then I directed water on to remaining boxes that were just starting to burn.*³⁷ Lieutenant Hulse confirmed that Staff Sergeant Barber removed boxes of switches from one of the bays in his presence.

85. But the statement that Staff Sergeant Barber directed water onto any of the contents of the Ammunition Point was not otherwise confirmed by any evidence before the Tribunal and was contradicted by some. Major Blake said that no water was directed at any of the fire while he was at the Ammunition Point with Staff Sergeant Barber because none was available, and Lieutenant Hulse says that Staff Sergeant Barber did not man any of the water truck hoses while he was at the Ammunition Point with him.

86. There may possibly be some ambiguity in the phrase 'I directed' – it may have been intended to mean that Staff Sergeant Barber himself applied water, or alternatively that he directed someone else to apply water. Noting that Staff Sergeant Barber did not write this statement himself but that it was instead prepared by Captain Young, and given that the issue of any contribution by Staff Sergeant Barber to the actual fire-fighting is quite peripheral to Lieutenant Hulse's own actions, the Tribunal concluded that the statement signed by him could not be regarded as of sufficient weight to seriously detract from the substantive thrust of the factual account asserted by Lieutenant Hulse.

87. The statement of Warrant Officer Class 2 Baxter, who was in the control tower at Luscombe Airfield, says that the wind at the time was *a south-westerly at 5 to 10 knots*.³⁸ In contrast, Lieutenant Hulse claimed that the wind direction was to the south at 15 km/hr (ie a northerly wind). Another statement attached to the investigation report

³⁷ Statement by 310358 SSGT J.R. Barber – 26 Coy RAASC, 28 February 1969.

³⁸ Statement by 6319 WO2 R.S. Baxter – 161 Recce Flt, 28 February 1969.

confirmed that burning debris and shrapnel from the fire reached the airfield itself,³⁹ which was to the north of the Ammunition Point, although this may have been primarily by reason of explosive force rather than carriage by wind. The Tribunal noted the limitations inherent in the manner in which the attached statements were generated (as discussed above).

88. The Tribunal also noted the possibility that, given the height of Nui Dat Hill in an otherwise relatively flat landscape, it may have been possible for different wind readings to be recorded at different relatively close locations due to deflection by the geographical features. But, even if the statement of Warrant Officer Baxter were to be preferred, it would not have eliminated the risk of fire spreading or phosphorous or CS gas crystals escaping in directions of importance other than directly south, albeit perhaps at lesser speed – the ADF had significant assets around the Ammunition Point.

89. Other statements attached to the report were either consistent with Lieutenant Hulse's factual account or not inconsistent with it.

90. The Tribunal, in assessing the evidentiary weight to be afforded to Captain Young's report and the statements attached to it on the one hand and the oral evidence before the Tribunal that may have been inconsistent with it, was mindful of the purpose for which that documentation was prepared (identifying the cause of the fire and lessons to be learned) and the quite distinct purpose for that documentation was now being examined (assessing the performance of individuals for the purpose of considering medallic recognition).

91. In concluding that later oral evidence was to some extent or in some matters of detail to be preferred or qualified in the latter context, the Tribunal wished to make it clear that it intended no criticism whatsoever of the methodology adopted by Captain Young in conducting his investigation and preparing his report and its attachments.

92. In summary, the Tribunal concluded that inconsistencies between Lieutenant Hulse's factual account and the investigation report and its attachments were not so materially significant as to render the thrust of Lieutenant Hulse's factual account unreliable for present purposes.

The Nominations/Citations of the Barber and Trezise honours

93. The George Medal nomination of Staff Sergeant Barber signed by Brigadier C.M.I. Pearson, Commander 1st Australian Task Force; Major General R. A. Hay, Commander Australian Force Vietnam and Adjutant-General Major General C. E.

³⁹ Statement by 25711 WO2 B.E. Simmons, 28 February 1969

Long stated as follows:

On 19 February 1969 Staff Sergeant Barber was driving to the Ammunition Point when a bay of ammunition caught fire and exploded. A series of explosions followed which resulted in ammunition being scattered over a wide area and numerous fires being started. Staff Sergeant Barber despatched his driver and vehicle to raise the alarm while he proceeded on foot to ensure that all personnel at the Ammunition Point were safe. Having established this, he then surveyed the area to determine whether any other bays of ammunition were threatened. Although both high explosive and white phosphorus ammunition were still exploding and debris and unexploded ammunition falling around him he completed this hazardous task.

He then realized that the ammunition bay adjacent to the one burning was in danger of being ignited. This bay contained predominantly white phosphorus and if it caught fire the remaining bays of ammunition would have been set off. With complete disregard for his personal safety, Staff Sergeant Barber moved up to the threatened ammunition bay as soon as the immediate fire had been subdued. He then calmly and efficiently inspected its contents and dragged clear a number of smouldering cases of ammunition. Throughout the entire operation he was in grave danger of ammunition in this and the adjacent bay exploding from the heat it had absorbed in the initial fire.⁴⁰

94. Certain of the detail in this narrative is not only inconsistent with the factual account of Lieutenant Hulse, but some details are also inconsistent with the evidence given by Major Blake in both the *Dunn* case and in the present hearing. The suggestions in the narrative that there was only one bay consumed by fire and that the fire in that bay ‘had been subdued’ before Staff Sergeant Barber removed cases of ammunition are not supported by any other evidence before the Tribunal. Major Blake and Lieutenant Hulse were the only eye-witnesses to Staff Sergeant Barber’s actions during the fire and both told the Tribunal that they were not consulted in relation to this nomination.

[REDACTED]

95. Significantly, a press release of 17 September 1969 issued by the then Minister for the Army, the Hon Phillip Lynch MP, set out the citation for the George Medal awarded to Staff Sergeant Barber in terms that materially differed from those of the nomination. While the citation was generally consistent with the first paragraph of the nomination as quoted above, it did not include the same second paragraph. Instead, it stated:

⁴⁰ AF-W3121, Staff Sergeant James Robert Barber, 310358, 12 March 1969.

*With complete disregard for his own personal safety, Staff Sergeant Barber moved up to a threatened bay and dragged clear a number of cases of smouldering ammunition. Throughout the whole time he was in grave danger of ammunition in this and the adjacent bay exploding. By his cool and courageous actions, Staff Sergeant Barber prevented the fire spreading to a remaining 20 tons of ammunition and so averted a major disaster.*⁴¹

96. While this different text does not repeat some of the inconsistencies noted in relation to the nomination text, it is still inconsistent with Lieutenant Hulse's factual account to some extent. However, it is again the case that the Tribunal concluded that the citation similarly could not be relied upon to confidently discredit the factual account advanced by Lieutenant Hulse because it had been written without consultation with the only eye-witnesses to the events to which it referred.

97. In this regard, it is relevant to note that, in evidence before the Tribunal in the earlier *Dunn* matter, Major General Blake had said that, while he did not make a recommendation for recognition of Staff Sergeant Barber as he was not in his chain of command, had he done so he would have written the George Medal citation differently insofar as it related to the events that occurred while he was with Staff Sergeant Barber at the Ammunition Point.⁴²

98. While raising these concerns with the text of the nomination and citation for Staff Sergeant Barber, the Tribunal wished to make it clear that it was in no way suggesting that the George Medal which he received was not justifiably deserved.

99. Sapper Trezise was awarded a Mention-In-Dispatches for the part he played in the fire-fighting. The citation for that honour read:

At approximately 1545 hours on 19th February 1969 a bay of defective ammunition in the task force ammunition point exploded, scattering ammunition and causing fires over a wide areas. Lance Corporal Trezise attended the fire as a member of the two man crew of a water truck.

When told that three members of the ammunition point staff were thought to be trapped in a burning tent, Lance Corporal Trezise moved forward and searched the tent. After ensuring nobody was inside he resumed fighting the fire.

At about 1615 hours the fire fighting team was able to approach the ammunition bay. Lance Corporal Trezise then directed water onto a stack of burning grenade boxes and fought the fire from close range until it was extinguished.

⁴¹ Army Press Release, *George Medal for Vietnam Service*, dated 17 September 1969.

⁴² Hulse and the Department of Defence re: *Dunn* [2023] DHAAT 10

*Lance Corporal Trezise carried out his duties in a calm and efficient manner, disregarding the hazards he was exposed to. His actions reflect great credit on himself and his corps.*⁴³

100. During the hearing in the *Dunn* case before the Tribunal, Lieutenant Hulse queried the accuracy of this citation, particularly in regard to conducting a search for three personnel thought to possibly be in the burning tent. He claimed that Sapper Trezise was with him for the duration of the firefighting efforts and did not go into a tent to rescue three personnel. At that time, Lieutenant Hulse stated:

*It is questioned how the Officer Commanding 1 FD SQN, Major John Morphett, came to accept the words written into Sapper Trezise's citation. Hulse did not write those words. As Major Morphett did not arrive at the scene until after the fire had been put out, I doubt that the words originated from him. I question the authenticity of the person who wrote those words. The description is hardly complete and not a true reflection of what actually happened. If this is the only action for which the MID was awarded to Trezise, it is a thin one. I believe it demonstrates the lack of knowledge about the fire that surrounds the whole event. Sapper Trezise did deserve an MID, but not for just one action. I believe that he deserves recognition for his entire contribution to the whole of the fire and not just one small segment of it. In any case, Sapper Dunn was on the water truck enabling the water to be pumped to Sapper Trezise's hose branch. Without Dunn, Trezise would not have had the ability to approach the burning tent. It was a team effort by the three of us, not an individual stroke of gallantry by one person.*⁴⁴

101. The assertion in the citation that Sapper Trezise was a member of a 'two man team' was not strictly accurate to the extent that it may be thought to suggest that Lieutenant Hulse was not present. However, the citation does suggest that Lieutenant Hulse's claim, that the tent fire was attended to before fire-fighting began at the Ammunition Point itself, is correct.

102. In summary, the Tribunal considered that, to the extent of any inconsistency between the text of the nominations and citations for Staff Sergeant Barber and Sapper Trezise and the factual account provided by Lieutenant Hulse in his written submissions and his evidence at the hearing, Lieutenant Hulse's account should be preferred. Those nominations and citations were written by persons who were not eye-witnesses to the events they described, and without consultation with Major Blake or Lieutenant Hulse who were eye-witnesses to those events. Accordingly, the Tribunal concluded that they cannot be regarded as sufficiently authoritative or of sufficient probative weight to outweigh the direct and plausible eye-witness evidence of Lieutenant Hulse.

⁴³ AF-W3121 – Lance Corporal David Lloyd Trezise, 5715394, 13 March 1969.

⁴⁴ Hulse and the Department of Defence re: Dunn [2023] DHAAT 10

Signals

103. Defence referred in its written submissions to a signal sent from AustForce Vietnam to Army Canberra by a Captain Lynham on an uncertain date, which stated *usual precautions observed but fire could not be fought until ammunition explosions ceased 40 mins after outbreak*.⁴⁵ That assertion was not made in any of the other documentation before the Tribunal, including Captain Young's investigation report. At the hearing, Lieutenant Hulse said that it was factually wrong as to timing.

104. The signal is in a form that suggests it was responding to particular questions asked of the author, but there was no information before the Tribunal about what those questions might have been. Nor was there any material before the Tribunal about what the 'usual precautions' might have been, particularly as Defence was unable to provide copies of the 1ATF Fire Orders and the TFMA Fire Orders (discussed further below). Moreover, the author of the signal was not an eye-witness to the fire-fighting at the Ammunition Point. Accordingly, the Tribunal considered that the signal provided no sustainable basis to dispute the factual account advanced by Lieutenant Hulse.

105. A copy of another signal of 19 February 1969 from an unidentified source to Army Melbourne and copied to Austforce Vietnam for information stated that *Explosions scattered the ammunition over very large area however only two persons were slightly lacerated. Prompt action by AT (S/Sgt Barber) prevented fire from starting next bay containing WP ammo*.⁴⁶ Quite apart from being unable to ascertain who the author of this signal was and whether they had relied on any eye-witness reporting, the Tribunal concluded that this signal could not be regarded as sufficiently reliable to contradict Lieutenant Hulse's factual account as it was so contrary to all other evidence that there was fire in each of Bays D, C, B and A and not just in one bay.

More recent documentation

106. After it became aware that Lieutenant Hulse had sought review of its decision to refuse to recommend him for the Conspicuous Service Cross which he had sought, Defence made contact with Sapper Trezise, Captain Young, Captain Fisher and Major Blake, and emails between each of them and Defence were attached to the Defence report.⁴⁷

Emails with, and evidence of, Sapper Trezise

107. Sapper Trezise was contacted by Defence by telephone following the lodgement of Lieutenant Hulse's application for review. Defence provided the Tribunal with two emails it had sent to him in which it purported to record its understanding of what he had

⁴⁵ Signal, Ausforce Vietnam to Army Canberra 240140Z February 1969.

⁴⁶ Signal, 2AOD to Army Melbourne, 220130Z February 1969.

⁴⁷ Defence Report, 9 December 2025, Enclosures I-K.

then told them.⁴⁸ The papers before the Tribunal contained no endorsement by Sapper Trezise that the Defence emails were correct in all respects. Sapper Trezise was thus called as a witness by the Tribunal and he was questioned in some depth about his recollections of the events of the day in question.

108. There were multiple inconsistencies between the factual account provided by Lieutenant Hulse and that provided in those Defence emails, and that provided in Sapper Trezise's evidence at the hearing:

a.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁴⁸ Defence Report, 9 December 2025, Enclosure K.

e.



109. The Tribunal had no doubt that Sapper Trezise relayed his sincerely held recollections of the events of the day in question conscientiously and in good faith both at the hearing and in his prior discussions with Defence. Nor did it entertain any doubt that the recognition of his own actions on the day through the Mention-in-Dispatches was justifiably conferred.

110.



111. Moreover, and importantly when read in the context of the Tribunal's recommendation, even if it had been considered that there was some doubt on issues such as whether it was Sapper Trezise or Sapper Dunn who drove the water truck or whether the tent fire was attended to before or after arrival at the Ammunition Point, the Tribunal considered that those issues were so peripheral that any such doubt would not make any difference in the final assessment of Lieutenant Hulse's action on the day.

Captain Fisher's email

112. Captain Fisher's email to Defence is only inconsistent with Lieutenant Hulse's account of the day to the extent that he says he did not think the fire warranted the description of 'enormous' as used by Lieutenant Hulse in his application to Defence. He said:

*As I recall, I would not have described the incident as "enormous." Initial reports, as I seem to remember, were for some explosions and developing fires. It was, however, a potentially serious and dangerous situation.*⁴⁹

113. The significance of the fire or otherwise is discussed further below.

Captain Young's email

114. In his email to Defence, Captain Young stated that to the best of his recollection the terms of reference for his inquiry were 'not particularly wide-ranging' and that he had regarded the 'emergency response' as 'effective and timely' and 'not in question' during the investigation.⁵⁰ The Tribunal regarded these statements, which he affirmed in his evidence at the hearing, as of importance in assessing the weight to be afforded to inconsistencies between the investigation report and attached statements on the one hand, and the factual account claimed by Lieutenant Hulse on the other.

Major Blake's email

115. The email sent to Defence by Major Blake is, so far as it goes, not inconsistent with Lieutenant Hulse's factual account but, because Major Blake was not an eye-witness to the fire-fighting, it is confirmatory of only limited aspects of that account.

⁴⁹ Defence Report, 9 December 2025, Enclosure K.

⁵⁰ Defence Report, 9 December 2025, Enclosure H.

Corroborative evidence

116. Rather than considering only matters that might be seen to contradict or be inconsistent with the factual account asserted by Lieutenant Hulse, the Tribunal considered that it was important to also note that there was evidence before it that was confirmatory of at least some of that factual account.

117. Captain Fisher's email correspondence with Defence⁵¹ provided significant corroboration of key elements of Lieutenant Hulse's factual account. In particular, that email provided confirmation of his commissioning of Lieutenant Hulse to undertake reconnaissance and fire-fighting, his provision of additional resources requested by Lieutenant Hulse, and that it was Lieutenant Hulse rather than he who was in command of the Ammunition Point at the time of the fire.

118. Importantly, in light of the position asserted by Defence, in that latter regard it states:

*Captain Fisher, (!! me) was the Squadron operations officer. I was in the unit CP deploying assets as reports came in. I was certainly not in command and control at the site. Lt Hulse was the man on the ground, along with others who were deployed from other units.*⁵²

119. Importantly, Captain Young's investigation report, while containing some material inconsistent with certain detailed aspect of Lieutenant Hulse's factual account, did also provide a degree of contemporaneous corroboration, as did the statements attached to it, and especially those signed by Captain Fisher⁵³ and Lieutenant Hulse.⁵⁴ In particular, Captain Fisher's statement confirmed that Lieutenant Hulse was in command of the fire-fighting effort until Captain Fisher took command from him at 1730 hours.

120. Major Blake was not an eye-witness to the fire-fighting at the Ammunition Point. Nevertheless, he was a participant in and eye-witness to some of the events of the day. His evidence in the earlier case of *Dunn* confirmed certain elements of the factual account provided by Lieutenant Hulse. And the Defence Report in that matter included a letter of support for Sapper Dunn's nomination from Major Blake in which he stated:

Soon after setting up the road block the then Lt Hulse arrived and explained he had been tasked to fight the fire. SSgt Barber and I briefed him on the situation and why we had evacuated the dump. Lt Hulse was insistent that he at least view the situation in person so he could assess whether a firefighting operation was

⁵¹ Defence Report, 9 December 2025, Enclosure I

⁵² Ibid.

⁵³ Statement by 235183 Captain R.W. Fisher 2 March 1969.

⁵⁴ Statement by Fire Fighting Team Commander 213644 Lieutenant G.L. Hulse, 2 March 1969.

*viaable. I reluctantly agreed and was subsequently surprised when he opined he thought there was a chance of being able to extinguish the fire. He then set about organising water trucks tasking the two soldiers with him (Sappers Trezise (sic) and Dunn) and was ultimately successful in dousing the fire and preventing a disaster.*⁵⁵

121. Additionally, Major Blake's evidence in the hearing of the present matter confirmed and to some extent expanded on the evidence he had provided in the *Dunn* matter, and thus provided some further confirmation of some aspects of Lieutenant Hulse's factual account, notwithstanding that he stressed that his detailed recollection of the events of the day was not strong.

122. Further, while certainly not conclusive, Lieutenant Hulse's factual account was consistent with the evidence he gave and submissions he made in the earlier *Dunn* hearing before the Tribunal.

123. It should also be said that, throughout the fact-finding phase of the hearing, Lieutenant Hulse steadfastly adhered to and did not deviate from his factual account under challenge from Defence, in response to which he provided very plausible explanations and further detail.

124. Similarly, when Tribunal itself questioned Lieutenant Hulse in considerable detail about the factual account he provided, he again provided very plausible explanations and further detail.

125. Nevertheless, it was the case that there was no eye-witness or documentary evidence that provided confirmation of every element of the factual account asserted by Lieutenant Hulse.

Tribunal conclusions as to relevant facts

126. In its letter of 7 July 2026, Defence asserted that it:

*maintains its position that significant discrepancies remain between the contemporaneous evidence and aspects of the information Lieutenant Colonel Hulse subsequently provided.*⁵⁶

127. The Tribunal considered that that assessment was simply unsustainable in light of the careful analysis of the inconsistencies set out in the preceding passages of this report.

⁵⁵ Hulse and the Department of Defence re: Dunn [2023] DHAAT 10

⁵⁶ Letter, Defence to the Tribunal, 7 July 2026

128. Moreover the Tribunal considered that that assessment was somewhat undermined by Defence's own statements and concessions during the hearing. In seeking to better understand the Defence position, the Tribunal put a number of 'bottom line' factual propositions to Defence and asked the Defence representatives whether they accepted or contested any of those propositions.

129. The factual propositions in question were as follows:

- a. There was a fire at the Ammunition Point;
- b. The fire was significant in that:
 - it was causing ordnance to explode and shrapnel to fly over a wide distance, with the potential to seriously injure ADF personnel and facilities at the base or in the surrounding area;
 - it was causing grass fires and there was a risk that these too could endanger the base encampment;
 - there were toxic materials at the Ammunition Point and there was a risk that wind-borne fumes could adversely affect the health of both ADF personnel and civilians in the nearby village; and
 - the loss of ammunition destroyed in the fire had not only a monetary value but also, even though it was not irreplaceable, would adversely affect to some extent the ADF ability to combat the enemy given that more than 90 per cent of it was stored for distribution on operational manoeuvres;
- c. Had the fire not been brought under control and extinguished, a 'major disaster' would have resulted, as stated in the citation quoted and inherently endorsed by the Minister for the Army in his press release about Staff Sergeant Barber;
- d. Major Blake and Staff Sergeant Barber had withdrawn from the Ammunition Point and left it to burn itself out as they had no capacity or equipment to fight the fire;
- e. When Major Blake stopped Lieutenant Hulse at the road block, Lieutenant Hulse could not have been criticised if he had left the scene altogether on the advice or at the direction of Major Blake;
- f. Had Lieutenant Hulse not persisted and gained access to the Ammunition Point, the fire would not have been contained as it was – the ammunition that

was saved would not have been saved, and the hazard to other personnel would not have been avoided;

g. Lieutenant Hulse had not attended a fire fighting course;

h. Lieutenant Hulse was in command of Sappers Dunn and Trezise and had at least a power of direction over Warrant Officer Crisp, the other Sappers and the other water trucks and their drivers;

i. The act of fire-fighting was dangerous as, even though they were standing behind the bay walls, Sappers Dunn and Trezise and Lieutenant Hulse had to expose their heads and upper torsos in order to direct water at the fire;

j. Lieutenant Hulse personally fought the fire for a time in the same way as he directed Sappers and Dunn to do, by manning hoses and directing water onto the burning Bay A;

k. While Warrant Officer Crisp and the other Sappers and water truck drivers supported the fire-fighting effort, those at greatest risk were Sappers Dunn and Trezise and Lieutenant Hulse;

l. The fire was contained by the efforts of Lieutenant Hulse and those he commanded to the satisfaction of Captain Fisher; and

m. Later explosions outside the bays occurred after Captain Fisher was satisfied and had discharged Lieutenant Hulse from the scene.

130. Defence did not seek to dispute any of these factual propositions. The Tribunal considered that these unchallenged factual propositions were at the core of the factual account advanced by Lieutenant Hulse and that other detail included in that account was only supplementary or peripheral.

131. In the final result, therefore, the Tribunal concluded that, on the balance of probabilities, there was sufficient evidence and explanation to generally accept the core elements of Lieutenant Hulse's factual account as set out above as adequately accurate for the present purpose of assessing his actions against the eligibility criteria for medallic recognition.

132. In so doing, the Tribunal concluded that it was unnecessary to resolve any possible lingering doubt on any particular issue (for example, whether it was Sapper Dunn or Sapper Trezise who was driving the water truck, whether Sapper Trezise did or did not pass through the road block that had been established by Major Blake and Staff Sergeant Barber, or whether or not Staff Sergeant Barber 'directed' that water be sprayed onto the fire). This was because, in the view of the Tribunal, variation on such fine

details would make no material difference in considering whether or not Lieutenant Hulse's actions were deserving of medallic recognition.

Consideration of the facts against the eligibility criteria

133. Having reached that conclusion on the relevant facts, it was incumbent on the Tribunal to assess them against the eligibility criteria for the Conspicuous Service Cross sought by Lieutenant Hulse or, if it considered that those criteria were not met, then the eligibility criteria for the alternative possibility of the Conspicuous Service Medal.

134. Lieutenant Hulse was not nominated for medallic recognition of his efforts on the day in question around the time of the fire, unlike Staff Sergeant Barber and Sapper Trezise. Nor had he been so nominated since.

135. In his email correspondence with Defence Captain Fisher said:

Lt Hulse was a young and very capable young officer. It was quite appropriate for him to be initially deployed to direct a small firefighting team and assess and report on the incident. At the "wash up" I seem to recall we considered Lt Hulse had performed very well to remain at, and direct activities at such a potentially serious incident.⁵⁷

136. In his evidence in the *Dunn* case, Major Blake said:

The actions of Lt Hulse, Sapper Trezise (sic) and Sapper Dunn were certainly above and beyond the normal expectation of being exposed to danger in an operational environment. The risk of death or serious injury was highly probable – testimony to the courage and disregard for their own safety that was necessary to function in such a dangerous environment.⁵⁸

137. Consistently with that, at the hearing Major Blake wished Lieutenant Hulse success in his present application.

138. In his evidence to the Tribunal, Sapper Trezise indicated that he had previously suggested to Lieutenant Hulse that his efforts were worthy of medallic recognition.

139. However, none of the above favourable views were supported by any detailed reasoning or by reference to the eligibility criteria for any particular defence honour.

140. For his part, Captain Young said at the hearing that, given that he had given no consideration to the individual performance of those engaged in the fire-fighting while

⁵⁷ Defence Report to the Tribunal, Enclosure I.

⁵⁸ Hulse and the Department of Defence re: Dunn [2023] DHAAT 10

conducting his investigation, he did not consider it appropriate for him to offer any assessment on that issue so long after the event.

141. Accordingly, it fell to the Tribunal to arrive at its own detailed and reasoned analysis of how the relevant facts as found by it stand up against the relevant eligibility criteria.

142. When the fact-finding phase of the hearing was completed, the Tribunal thus sought submissions from Lieutenant Hulse and Defence, and asked many questions about, how the eligibility criteria should be applied to the facts.

Lieutenant Hulse's claims against the eligibility criteria

143. Lieutenant Hulse strongly and consistently asserted that his actions met the eligibility criteria for the Conspicuous Service Cross which he sought.

144. In his original application to Defence he said:

I submit to you that my actions on 19 February 1969 as the commander of the firefighting team demonstrated that I:

- *performed an act of outstanding devotion to duty by insisting on approaching the fire despite the direction of a senior officer that access to it was closed. I then remained at the fire for the full duration of this intense and energy sapping experience.*
- *delivered an outstanding achievement by extinguishing a dangerous fire using exceptional counter-firefighting skills despite having never attended a formal firefighting course; and*
- *by quickly deciding on a plan of action which was based on both the safety of my men and the ability to extinguish the fire in each Bay, I believe that I used exceptional judgement in bringing this large and dangerous fire to a successful outcome without causing injury (or worse) to any of the Sapper nor supporting personnel who were under my command for the duration of the fire.⁵⁹*

145. In his comments on the Defence report he said:

His outstanding devotion to duty, outstanding achievement in successfully bringing a dangerous fire which had serious consequences if it was allowed to continue to burn out-of-control by the application of exceptional improvisational

⁵⁹ Application to Award Lieutenant Colonel George Hulse OAM (Retd) with the Conspicuous Service Cross, 7 August 2023.

*skills to bear against it, his judgement in establishing immediate managerial decisions to control all the resources which were at his disposal on-site and his dedication to the task at hand are worthy of him being awarded the Conspicuous Service Cross.*⁶⁰

146. And, in his response to a further submission requested from Defence by the Tribunal, he said:

*LT Hulse made critical decisions that, using Defence's words, avoided a 'disaster with serious consequences'. LT Hulse was the sole person who made the decision to fight the fire after he was informed that Bay B contained a large quantity of both white phosphorus (WP) ammunition and CS gas riot control crystals. He knew that if these items exploded into the southerly wind, the outcome would be challenging for those downwind of the ammunition point. In addition, it would have serious and embarrassing consequences for the command element of 1 ATF should the WP and gas crystals carry through to the military units close to Nui Dat Hill and onward to the nearby village of Hoa Long. He took action despite the time critical situation in Bay B. Hulse realised that he needed to extinguish the fires in Bays D and C before his team could attack the fire in Bay B. His intention was accepted by the two significant commanders above him, Major Murray Blake and Captain Bob Fisher. Defence does not understand this.*⁶¹

147. Further, in a written opening statement submitted at the hearing, he said:

*The outcomes by way of awards for the fire were: SSGT Barber awarded the George Medal, Lance Corporal Trezise awarded the MID, Sapper Dunn awarded the Conspicuous Service Medal. LT Hulse was not recognised despite the fact that had it not been for his decision to attack the fire, organise a road UXO clearance process, organise a traffic management plan for the water trucks, arrange for the control of the water pumps, develop an improvised counter-fire attack plan and then led from the front for the entire duration it took to bring it to a successful close. Had he not made the decision and accepted responsibility to effect this, the outcome may have been embarrassing for the Australian military reputation and could have been costly in replacing lost accommodation, equipment and individual effects had the fire and gas crystals spread into the 1ATF tent lines.*⁶²

148. In discussion at the hearing, Lieutenant Hulse focussed most particularly on the degree of the responsibility he had assumed in deciding to fight the fire.

⁶⁰ Letter, Lieutenant Colonel Hulse to the Tribunal, 11 December 2025.

⁶¹ Letter, Lieutenant Colonel Hulse to the Tribunal, 19 February 2026.

⁶² Oral submission, Lieutenant Colonel George Hulse OAM (Retd) 28 May 2026.

149. He said that he had recognised that, if he pressed ahead as he did but failed, the consequences could be loss of life or severe injury to members of his team which would have severely compromised not only his own career, but also that of Captain Fisher who had sent him to the Ammunition Point and agreed with Lieutenant Hulse's assessment that he could and should fight the fire, and also that of Major Blake who had allowed him to attend the Ammunition Point notwithstanding his prior assessment that it was too dangerous to be there.

150. Lieutenant Hulse also argued that he had taken on responsibility for avoiding the major consequences that could have resulted had the fire been left to burn itself out, including death or disability of ADF personnel and South Vietnamese citizens, to the significant embarrassment of his corps, the Army and the Australian Government.

151. He claimed that he had taken decisions that were 'way above my pay scale' and that, unlike Messrs Barber, Dunn and Trezise who had all received medallic recognition for what they did under command, he was not acting under orders but demonstrating 'initiative on the go' when he could otherwise have done nothing and simply walked away at the road block.

152. Lastly, Lieutenant Hulse also said that what he did had no prior precedent, and probably still remained unprecedented.

Defence arguments in relation to the eligibility criteria

153. For its part, at the hearing Defence maintained its original position that the eligibility criteria for the Conspicuous Service Cross had not been met.

154. In its report to the Tribunal, Defence said:

Having considered the facts and reviewed LT Hulse's submission, it is clear LT Hulse performed well in coordinating a small team in challenging circumstances with significant potential consequences. That is what he was trained to do as an Army officer, and what his peers were doing within their operational theatre on a daily basis and as such, LT Hulse's actions were not significantly above that expected of soldiers performing their normal duties. LT Hulse's actions at an incident that occurred at Nui Dat in South Vietnam in 1969 do not meet the threshold of a Conspicuous Service Decoration.⁶³

155. And, in its last written submission to the Tribunal prior to the hearing, Defence said:

⁶³ Defence Report to the Tribunal, 9 December 2025.

*While it is clear that LTCOL Hulse performed well in coordinating a small team in challenging circumstances, his actions, during the fire at IATF AP on 19 February 1969 do not meet the threshold of a Conspicuous Service Decoration. On this basis, Defence recommends that the Tribunal affirm the decision to not recommend LTCOL Hulse for the Conspicuous Service Cross, and that LTCOL Hulse be awarded an ADF Gold (operational) Commendation for his role in fighting the AP fire.*⁶⁴

156. By comparison to other applications for review heard by the Tribunal, Defence appeared to have devoted almost unprecedented resources and research in seeking to defeat Lieutenant Hulse's claim, and the Defence report and written submissions were in an unusual degree of detail and expressed in unusually strong terms.

157. Defence advanced multiple arguments in seeking to defeat Lieutenant Hulse's claim for medallion recognition. The Tribunal concluded, however, that examination of particular aspects of both the written reasoning put forward by Defence and its oral submissions at the hearing showed significant overreach and analytical error.

158. These matters are discussed below.

159. In its decision of 10 September 2025 refusing to recommend Lieutenant Hulse for the Conspicuous Service Cross which he had sought, Defence said:

In your application, you provided a number of examples of when you believe you displayed outstanding devotion to duty and achievement. Defence has carefully considered the facts and reviewed your submission in full. It is clear that you performed well in coordinating a small team under challenging circumstances, where the potential consequences were significant. While your conduct contributed meaningfully to the overall outcome, it aligns with the expectations placed on personnel operating in such roles. As an Army officer, that is what you were trained to do, and what your peers were doing within their operational theatre on a daily basis and as such, Defence considered your actions were not significantly above that expected of soldiers performing their normal duties.

*While your performance contributed positively to achieving the required outcomes, it has been assessed that your actions during the fire at Nui Dat in South Vietnam in 1969 fall within the scope of duties expected of personnel in your role.*⁶⁵

⁶⁴ Letter, Defence to the Tribunal, 13 February 2026.

⁶⁵ Letter, Defence to Lieutenant Colonel Hulse, 10 September 2025.

160. The Tribunal considered that there were multiple problems in this analysis and it was not accepted by the Tribunal for the following reasons:

- a. while Lieutenant Hulse's training as an officer would have provided him with skills of command, leadership and management, he had no formal training in fire-fighting that would have equipped him to lead, command and direct such action;
- b. if fighting an ammunition point fire was really within the scope of duties expected of personnel in Lieutenant Hulse's role, he should have been properly trained for that role;
- c. the implication that his peers were fighting ammunition point fires on a daily basis was clearly unfounded; and
- d. most significantly, the obverse implication that his actions on the day in question should be compared to what his peers were doing on a daily basis 'within their operational theatre' showed a clear misconception. The performance of his peers confronting the enemy in the theatre of a warlike operation are to be judged against the eligibility criteria for the Distinguished Service, Gallantry and Victoria Cross decorations. Lieutenant Hulse's performance of a quite different role in a non-warlike situation is to be judged against the quite different eligibility criteria for the Conspicuous Service Decorations. It appeared at the hearing that it was this latter implication that Defence has intended, and it was in the opinion of the Tribunal an invalid 'apples and oranges' comparison.

161. Defence asserted that Lieutenant Hulse had simply conducted his fire-fighting efficiently in accordance with the standard operating procedures set down in the 1ATF Fire Orders and the TFMA Fire Orders. There were multiple problems with this assertion, and it was not accepted by the Tribunal for the following reasons:

- a. Defence was unable to provide a copy of those 1ATF Fire Orders and TFMA Fire Orders when requested by the Tribunal;
- b. it was thus not possible to know what degree of detailed guidance they provided;
- c. Lieutenant Hulse said that he had not previously seen the 1ATF Fire Orders and the TFMA Fire Orders when he was directed to attend the fire by Captain Fisher;
- d. Lieutenant Hulse said that he had read the 1ATF Fire Orders and the TFMA Fire Orders after the fire and his recollection was that they focussed only

on information and command channels in the event of a fire and provided no direction or guidance in fire-fighting techniques;

e. Captain Young, in his investigation report, stated that while section 10 of the 1ATF Fire Orders and the TFMA Fire Orders were adequate, the special problems of an Ammunition Point fire should receive co-ordinated TFMA/1 ATF HQ direction as this aspect was not detailed in either fire orders; and

f. Captain Young said in his evidence at the hearing that he could not find any coordinating guidance for fighting a fire such as that at the Ammunition Point, and that the 1ATF Fire Orders and the TFMA Fire Orders he examined did not provide any guidance for actually fighting a fire.

162. Defence claimed that Captain Young's investigation report confirms that *LT Hulse was part of a broader team tasked with tackling the fire and its aftermath and that he was not the principal officer who took the sole command and leadership position*.⁶⁶ There were multiple problems with this claim, and it was not accepted by the Tribunal for the following reasons:

a. Captain Young's report does not include such a statement;

b. Defence repeatedly attempted to limit Lieutenant Hulse's role to only his participation in fire-fighting with Sappers Trezise and Dunn. However, in the opinion of the Tribunal it is not credible that Captain Fisher would have directed the deployment of multiple additional water trucks and drivers and of Warrant Officer Crisp and the additional sappers, who were all sent to the Ammunition Point by Captain Fisher at Lieutenant Hulse's request, to act unilaterally as they thought best rather than as directed by Lieutenant Hulse. The Defence position ignored the vital roles played by those additional resources and the direction of them by Lieutenant Hulse;

c. while other ADF elements may have been either on alert or mobilised to extinguish grass fires around the outer perimeter road and closer to the base, none of those personnel were actually engaged in, and subject to the attendant risks of fighting the Ammunition Point fire itself; and

d. Defence's attempt to assert that it was Captain Fisher rather than Lieutenant Hulse who was *the principal officer who took the sole command and leadership position*⁶⁷ was clearly denied by Captain Fisher, who had advised Defence that:

⁶⁶ Defence Report to the Tribunal, 9 December 2025.

⁶⁷ Ibid.

*Captain Fisher, (!! me) was the Squadron operations officer. I was in the unit CP deploying assets as reports came in. I was certainly not in command and control at the site. Lt Hulse was the man on the ground, along with others who were deployed from other units.*⁶⁸

163. Defence said that *Lieutenant Colonel Hulse's insistence on being let through, despite neither himself nor the two Sappers having formal firefighting qualifications, exposed the team to the risk of injury or death.*⁶⁹ This could be described as both courageous or as an act of poor judgement.⁷⁰ At the hearing the Tribunal pointed out the grammatical error of asserting that something could be 'both' one thing 'or' another and asked Defence what it had actually intended to say. Defence advised that it considered that Lieutenant Hulse's action was both courageous and an act of poor judgement. The Tribunal accepted that it took a degree of courage on Lieutenant Hulse's part to engage in fighting the fire, given its magnitude and the risks of exploding ordnance, but was not prepared to accept that he had exhibited poor judgement. This was because:

- a. Captain Fisher had entrusted him to exercise judgement in reconnaissance and firefighting and had concluded that he had done so well; and
- b. Lieutenant Hulse's judgement that the fire could be safely fought and extinguished proved to have been correct.

164. Defence raised at the hearing the question of whether or not the ordnance stored that the Ammunition Point was 'mission critical', suggesting that it was not because it could have readily been replaced from the larger Ammunition Point at Vung Tau, and inferring that if it was not mission critical the fire should have been left to burn itself out. Defence also appeared to infer that, given that the Ammunition Point held unserviceable ammunition that would be eventually destroyed, there was no point in risking the safety of personnel in fighting the fire.

165. Captain Young said in his evidence, however, that he had understood that 99 per cent of the ammunition was being stored for distribution for operational service. The Tribunal considered that whether or not the ordnance was 'mission critical' or readily replaceable was a largely irrelevant issue. This was because leaving the fire to burn itself out entailed the ongoing risk of danger to ADF personnel and civilians from shrapnel, air-borne phosphorous and CS gas crystals, and further spot fires. It was Captain Young's emphatic view in his evidence at the hearing that the fire simply had to be put out - he said that it *had to be fought and fought quickly* and that it was a matter of *do or die to get it under control*.

⁶⁸ Ibid, Enclosure I.

⁶⁹ Ibid.

⁷⁰ Ibid, and Research Report and Merit Assessment – Application to Award 213644 Lieutenant Colonel George Leslie Hulse OAM (Retd) the Conspicuous Service Cross, undated.

166. Defence stated that Major General Blake was *rightly cautious of letting Lt Hulse through to the fire with good reason. MajGen Blake and SSGT Barber (the technical expert on the ground) had already attended the fire and had recognised the inherent danger and vacated the area and set up road blocks. Lt Hulse's insistence on being let through, despite neither himself nor the two Sappers having formal fire-fighting qualifications, exposed the team to the risk of injury or death.*⁷¹

167. However, the Tribunal noted that there was a major difference between Major Blake's very understandable decision to vacate the area because of the danger posed by the fire and Lieutenant Hulse's assessment that the fire could and should be fought. Major Blake and Staff Sergeant Barber had no fire-fighting capacity at the time they were at the Ammunition Point; in contrast, Lieutenant Hulse had such capacity in the form of a water truck and Sappers Trezise and Dunn, and was able to secure additional fire-fighting and support resources through Captain Fisher, the 1 ATF Fire Officer. Events showed that Lieutenant Hulse's insistence on Major Blake allowing him through to the fire was the right call.

168. Defence asserted at the hearing that Lieutenant Hulse's fire-fighting had lasted for only 15 minutes. It had earlier referred to periods of 45 and 100 minutes. Defence also raised the question of duration in its supplementary written submission. Lieutenant Hulse maintained that the active fire-fighting had lasted for at least 45 minutes. The total time from Captain Fisher directing Lieutenant Hulse to go to the Ammunition Point until Captain Fisher discharged Lieutenant Hulse to leave the Ammunition Point was approximately 105 minutes.

169. However, the Tribunal considered that, however long it was, the time actually taken to bring the fire under control to the satisfaction of Captain Fisher was largely irrelevant. There is no minimum time required for any service to be considered worthy of recognition by any defence honour. The critical issue in every case is the quality of the service under consideration. In this case, as discussed further below, the Tribunal considered that there was no doubt that the fire was significant, that allowing it to burn itself out could have had very serious consequences (described by in the citation publicly released by the then Minister for the Army as a 'major disaster'), and that Lieutenant Hulse's actions and those of the personnel he directed led to the fire being extinguished to the satisfaction of Captain Fisher as the 1 ATF Fire Officer.

170. At the hearing, Defence contested Lieutenant Hulse's claim that the wind was blowing to the south at 15 km/hr. It did so on the basis of a statement attached to Captain Young's investigation report in which WO2 Baxter, who was in the control tower at the airfield, stated that the wind at the time was *south-westerly at 5 to 10 knots*.⁷² The Tribunal was not convinced that this statement was sufficient to prevail over the eye-

⁷¹ Ibid.

⁷² Statement by 6319 WO2 R.S. Baxter – 161 Recce Flt, 28 February 1969.

witness evidence of Lieutenant Hulse, given the limitations inherent in the manner in which such statements were generated during the investigation (as discussed above). But, even if the statement were to be preferred, it would not have eliminated the risk of fire spreading or phosphorous and CS gas crystals escaping in other directions of importance, albeit perhaps at lesser speed. As indicated in the maps reproduced earlier in this report, the ADF had multiple resources deployed in various directions around the Ammunition Point.

171. At the hearing, Defence questioned Lieutenant Hulse's actions in not removing Sapper Trezise from the Ammunition Point after it said he had lost consciousness. While it is clear that at one point Sapper Trezise lost control of the hose he was manning, it is not certain that he in fact lost consciousness. The emails to him in which Defence purported to record what it understood him to have told them stated only that, at some point, an explosion knocked him over and he lost control of the fire hose and that, when he 'came to', he was under the truck and the fire hose was uncontrolled.⁷³

172. At the hearing, Sapper Trezise did not say that he had actually lost consciousness although that was possible, but rather than he had been blown under the truck and lost control of his hose by reason of a loud explosion. But, whatever the true position on this point, Lieutenant Hulse said that he had no knowledge of Sapper Trezise losing consciousness, only that he had lost control of his hose and was seen to be stumbling about trying to regain control of the wildly flailing hose. He further said that he had looked to see if Sapper Trezise had any apparent injury and had asked if he was hurt or unable to continue, and that Sapper Trezise had insisted that he was fine and wished to continue. The Tribunal was not persuaded by this line of Defence questioning that there was any basis on which the assessment of Lieutenant Hulse's actions on the day should be adversely affected by any occupational health and safety issue.

173. During the hearing, Defence sought to contradict and correct Lieutenant Hulse's understanding of the circumstances in which phosphorous might explode. It was not clear to the Tribunal whether these remarks were intended to imply any criticism of Lieutenant Hulse, but, even if so, the Tribunal considered such would be unfounded. It is clear that phosphorous, however it might be released into the atmosphere, is a highly toxic material that can be seriously detrimental to the health of those affected by it. In the view of the Tribunal, Lieutenant Hulse was rightly concerned to extinguish the fire in the hope that such a release could be prevented.

174. In its written submissions, Defence suggested that the explosions that occurred outside the Ammunition Point some time after Lieutenant Hulse had been dismissed from the Ammunition Point by Captain Fisher indicated that his fire-fighting had been deficient.⁷⁴ Lieutenant Hulse countered by saying that his responsibility was fire-fighting

⁷³ Defence Report to the Tribunal, 9 December 2025, Attachment K.

⁷⁴ Ibid.

within the Ammunition Point and not outside it. In the view of the Tribunal, that proposition was consistent with the email from Captain Fisher⁷⁵ and the fact that Captain Fisher had dismissed Lieutenant Hulse from the Ammunition Point when apparently satisfied that the task he required of Lieutenant Hulse had been satisfactorily completed. In the view of the Tribunal, there is nothing in those later explosions that should be viewed as adversely reflecting on Lieutenant Hulse's performance on the day.

175. At the hearing, when the Tribunal referred to the press release by the then Minister for the Army in relation to Staff Sergeant Barber's award of the George Medal,⁷⁶ the citation for which described his actions as averting 'a major disaster', Defence sought to dismiss this on the basis that Ministers often made statements to achieve a good news outcome for political outcomes.

176. The Tribunal was not prepared to dismiss the Minister's statement so lightly, especially given the period when it was issued, at which time ministerial offices tended to be staffed very heavily by apolitical public service officers rather than party or political employees. Given that the press release listed was on an Army letterhead and listed what appeared to be at least one public service contact for further queries, the Tribunal considered it more likely than not that the Minister's implicit endorsement of that description echoed a departmental/Army assessment of the significance of the fire. The Tribunal further noted that the 'major disaster' wording was included in the citation itself, which would almost certainly have been composed by the ADF rather than in the Minister's office.

177. At the hearing, Defence suggested that Lieutenant Hulse's actions at the Ammunition Point should be assessed against the background that he had already had ADF experience in fighting fires. When Lieutenant Hulse challenged this, Defence said that it had ascertained that Lieutenant Hulse had been involved in fighting a fire on the Thai/Malay border while on an earlier deployment. Lieutenant Hulse said that, on that occasion, he and other ADF troops were in a village in which a hut was on fire and that physical access to the hut by local residents attempting to throw buckets of water on the fire was impeded by a 44-gallon petrol drum. He said that he and another ADF member had simply rolled the drum out of the way, and did not engage in any fire-fighting. In the absence any greater evidence of relevance, the Tribunal concluded that this Defence argument was of no force whatsoever.

178. At the hearing, Defence argued that Conspicuous Service Decorations are ordinarily awarded for service over an extended period of time, such as an operational tour, and not for service during a specific short-term incident. That may be correct as a statement of general practice, but there is nothing in the *Conspicuous Service Decorations Regulations* that confines their award in that way. The case of *Dunn*

⁷⁵ Ibid, Attachment I.

⁷⁶ Army Press Release, *George Medal for Vietnam Service*, dated 17 September 1969.

provided a clear example of award by the Governor-General on the recommendation of the Minister for a single incident, especially as it was awarded for the very same fire as that under consideration in the present case.

179. In its supplementary submission, Defence raised questions about *whether personnel should have been directed to engage the fire without appropriate training and specialist advice*.⁷⁷ In this regard, the Tribunal noted that Captain Fisher, as the 1 ATF Fire Officer, had taken the decision to send Lieutenant Hulse to the fire with two Sappers, notwithstanding their lack of training, and had not disagreed with Lieutenant Hulse's assessment that the fire could be successfully fought, as proved to be the case. The Tribunal further noted that Lieutenant Hulse was accompanied and briefed by Staff Sergeant Barber (who Defence described as *the ammunition technical expert present at the scene*) as to the contents of the Ammunition Point in the course of making that assessment. And the Tribunal also noted that the specialist Army Fire Service had no presence at Nui Dat at the time. Accordingly, the Tribunal concluded that, whatever might today be regarded as best practice and a preferable course of action in the event of a similar fire, no criticism of or denigration from Lieutenant Hulse's actions on the day was warranted on occupational health and safety grounds.

180. Finally, Defence argued that what Lieutenant Hulse did on the day was nothing beyond what was expected of him in light of his extensive training as an officer which, it said, equipped him to assume command, provide leadership and direction, and assimilate quickly to new and unexpected occurrences. Defence reiterated this argument in its supplementary submission where it said:

Defence does not dispute that LTCOL Hulse did not have formal firefighting training. Defence submits, however, that this should not lead to the exclusion of his broader military training and experience from consideration. Defence notes that LTCOL Hulse was a former infantryman, a graduate of the Officer Cadet School, and trained as a Combat Engineer Officer, roles that involved command, planning, decision-making under pressure, and management of personnel.

Defence submits that these forms of training are relevant to an assessment of what could reasonably be expected of an Army officer in a hazardous situation. Defence also notes that, in his own application for the Conspicuous Service Cross, LTCOL Hulse describes his conduct in terms of command and leadership of the firefighting team. Defence therefore submits that his command role remains relevant to the Tribunal's consideration, even if command is not itself one of the award criteria.

*Defence's submission is that the Tribunal should assess LTCOL Hulse's conduct in light of the training, responsibilities, and standards ordinarily applicable to an officer of his background and appointment.*⁷⁸

⁷⁷ Defence supplementary submission to the Tribunal, 3 July 2026, Enclosure 1.

⁷⁸ Ibid.

181. The Tribunal considered that, in contrast to each of the other arguments discussed above, there was a deal of strength in this argument, which is discussed in more detail further below.

182. As noted earlier, at the hearing the Tribunal posed a number of factual propositions about the ‘bottom line’ facts of the day and asked Defence whether it disagreed with any of them. Defence did not do so.

183. The Tribunal thus asked whether Defence still maintained its position that, in those circumstances, Lieutenant Hulse did not meet the eligibility criteria for the Conspicuous Service Cross and it confirmed that it did remain of that view.

184. The Tribunal then asked whether, given those uncontested facts, Defence considered that Lieutenant Hulse’s actions warranted no other medallic recognition, especially given that Staff Sergeant Barber, Sapper Trezise and Sapper Dunn had all received medallic recognition for closely related actions.

185. Defence initially said that its position was that its acceptance of those factual propositions did not require it to agree that Lieutenant Hulse’s actions required some medallic recognition. However, when further pressed, Defence said that it had not sought to assess Lieutenant Hulse’s application against the eligibility criteria for the Conspicuous Service Medal and that it would leave it to the Tribunal to undertake such an assessment if it considered it appropriate to do so. When asked, Defence would not offer a view on what more Lieutenant Hulse would have had to have done if his efforts on the day were to rise to a level warranting even minimal medallic recognition.

186. The Tribunal noted that, in another matter before the Tribunal at the time of this review, Defence had stated that:

While [name withheld] applied for consideration for the Conspicuous Service Medal, it is Defence’s practice to consider the full suite of honours and awards that may be applicable to the service in question. This approach is adopted to ensure that an applicant is not disadvantaged by nominating a particular award that may not align precisely with the relevant criteria, where their service might more appropriately meet the threshold for a different honour.

Accordingly, the broader consideration undertaken by Defence is designed to operate to the applicant’s benefit by ensuring that all potentially suitable forms of recognition are examined before a final position is reached. The intent of the assessment was to determine whether [name withheld’s] service met the threshold for recognition within the conspicuous service framework.⁷⁹

⁷⁹ Letter, Defence to the Tribunal, DH&A/OUT/2026/049 9 June 2026.

187. It seemed to be clear that Defence had not followed that practice in the present case. Having decided to refuse to recommend Lieutenant Hulse for the Conspicuous Service Cross that he had sought, it did not go on to consider whether it should have recommended him for the alternative Conspicuous Service Medal. While it appeared from the supplementary submission lodged by Defence that it had more recently considered the possibility of an ADF Gold (operational) Commendation,⁸⁰ it seemed that it had not at that stage also considered the possibility of a Conspicuous Service Medal.

188. Subsequently, in its letter of 7 July 2026, Defence asserted that Lieutenant Hulse did not meet the eligibility criteria for the Conspicuous Service Medal.⁸¹ However, the Tribunal noted that this bald assertion was made without any analysis whatsoever of how the eligibility criteria for that honour applied or did not apply to the core ‘bottom line’ facts that it had accepted without contest at the hearing.

189. On a number of occasions during the hearing and in its supplementary submission,⁸² Defence argued that considerable weight should be placed on the contemporaneous record. The Tribunal agreed that contemporaneous records can and frequently do provide extremely valuable evidence and should not be lightly ignored. However, those records cannot be viewed as necessarily prevailing over other evidence. Rather, the weight to be afforded to them must be very carefully assessed. Factors such as the circumstances in which they were created, the purpose for which they were created and the identity and grounds of knowledge of the author and the nature of any contradictory evidence, must all be brought to account.

190. In the same way, later oral evidence inconsistent with a contemporary written should not be assumed to be correct just because a witness can be cross examined. This is particularly the case where evidence relates to events in the distant past, where recollections may be less reliable. All evidence, regardless of its source, must be carefully assessed in order to determine what weight and probative value is to be attributed to it.

191. In the present case, as outlined above, the Tribunal found that there was good reason to qualify or give lesser weight to some of the contemporaneous records – such as the nominations and citations for Staff Sergeant Barber and Sapper Trezise, which were written without consultation with any eye-witness, and the signals which were of uncertain origin, purpose and authorship.

192. Additionally, the Tribunal concluded that some inconsistencies between contemporaneous documentation and later oral evidence were explicable by the circumstances in which the written record was created – in particular, the fact that witness statements attached to the investigation report were not written by those who

⁸⁰ Letter, Defence to the Tribunal, 13 February 2026.

⁸¹ Letter, Defence to the Tribunal, 7 July 2026.

⁸² Letter, Defence to the Tribunal, 3 July 2026.

were asked to and did sign them left open the possibility that their content might not be accurate in fine detail when examined for a purpose different from that for which they were created – in this case, those statements were generated by Captain Young for the purpose of his examination of the cause of the fire, rather than for assessing the performance of those who fought it.

193. And, consistently with the need to assess and weigh all evidence, the differences in recollection between Lieutenant Hulse and Sapper Trezise, in particular, required considerable assessment against other evidence, including contemporary documentation, in order to assess which should be regarded as the more reliable.

194. Defence also suggested at the hearing that, in coming to its decision to refuse to recommend Lieutenant Hulse for the Conspicuous Service Cross which he sought, it could only rely on the documentary record. That of course was not correct. It was always open to Defence to seek additional new or oral evidence. Indeed, it did so in this case when it contacted Captain Fisher, Captain Young, Major Blake and Sapper Trezise. Notably, it did not seek to engage with Lieutenant Hulse with a view to seeking to resolve inconsistencies it perceived or other questions it had about the documents before it.

Tribunal assessment of the facts against the eligibility criteria

195. The starting point for any assessment of the facts against the eligibility criteria for any defence honour must be to form a view as to the proper meaning to be afforded to those eligibility criteria.

196. For all defence honours, proper assessment against the eligibility criteria calls for the exercise of subjective judgement. There is no meter that allows objective assessment of such criteria, unlike defence awards where eligibility frequently turns on readily observable facts such as presence and time in a particular area. This need for subjective judgment calls for not only very careful and consistent interpretation of the specified criteria, but also recognition of the relative place of the defence honour under consideration in the larger scheme of defence honours. Too strict an interpretation may deny recognition where it is deserved; too lenient an interpretation may undermine the integrity of the very system of defence honours by affording unwarranted recognition.

Conspicuous Service Cross

197. Just as the Victoria Cross for Australia is the highest defence honour that may be awarded for warlike service, so too is the Conspicuous Service Cross the highest defence honour that may be awarded for non-warlike service. That factor is plainly relevant to interpreting and applying the eligibility criteria prescribed for its grant.

198. In the case of the Conspicuous Service Cross, the eligibility criteria are *outstanding devotion to duty, or outstanding achievement in the application of*

exceptional skills, judgement and dedication.

199. In *Cain and the Department of Defence* [2017] DHAAT 21, the Tribunal said:

118. The eligibility criteria for the CSC uses ‘outstanding’ in respect of devotion to duty or achievement in the application of exceptional skills, judgement or dedication. The Tribunal considers the use of ‘outstanding’ indicates an expectation that a recipient of the CSC will have significantly performed over and above their duty. The Commendation specifically referred to Mr Cain’s ‘outstanding’ professionalism, bravery, dedication and determination in the performance of his duties. His actions were considered to have been ‘inspirational’, which the Tribunal considers reflective of exceptional skills, judgement or dedication, as required by the eligibility criteria. Furthermore, the Commendation considered LS Cain’s actions as being deserving of the ‘highest praise’.

200. And in *Evans and the Department of Defence* [2023] DHAAT 3 the Tribunal said:

54. When viewed in the broader context of the Australian honours and awards system, it is apparent that the Regulations are intended to recognise the most significant of performance in non-warlike operations. They do so at two levels – the higher warranting the CSC and the lower the CSM. But, it is also apparent that there can be many grades of creditable performance below these two levels.

201. In its report to the Tribunal in this matter, Defence said:

For the CSC Defence has considered the definition of “outstanding” adopted by the Tribunal in Cain - The Tribunal considers the use of ‘outstanding’ indicates an expectation that a recipient of the CSC will have significantly performed over and above their duty.

202. The Tribunal’s assessment of Lieutenant Hulse’s actions against the eligibility criteria for the Conspicuous Service Cross was guided by the above statements. It is not enough that legitimate expectations have been exceeded – those expectations must have been significantly exceeded.

203. The Tribunal considered that, to properly assess Lieutenant Hulse’s actions on 19 February 1969, it was necessary to clearly understand the significance of the Ammunition Point fire. Lieutenant Hulse had described the fire as ‘enormous’, while Captain Fisher in his email to Defence said I would not have described the incident as ‘enormous’. The Tribunal considered that this difference of view was semantic rather than substantive or technical and could not be determinative of the significance of the

fire.

204. Instead, the Tribunal had regard to the following matters:

- a. there were *20 tons* of ammunition stored at the Ammunition Point at the time, according to the citation for Staff Sergeant Barber set out in the Minister's press release;⁸³
- b. this ammunition included some tons of ordnance that contained phosphorous or CS gas crystals, both of which were highly toxic to humans and could be wind-borne, potentially seriously affecting not only ADF personnel but also South Vietnamese citizens living near the area;
- c. throughout the fire-fighting effort, ammunition was exploding and shrapnel was thrown over a wide area, including onto the airfield according to the witness statement of Sergeant Jewell attached to the investigation report;
- d. in addition to shrapnel from exploding ordnance, some unexploded ordnance was also thrown beyond the Ammunition Point and would have been potentially highly dangerous if not recovered and then later accidentally triggered;
- e. burning debris from the fire was being thrown or blown a considerable distance, including as far as the airfield and the perimeter road close to the base encampment, causing grass fires and other damage;
- f. the explosions caused by the fire were sufficiently alarming that at least Sergeant Jewell stated that he *immediately went to ground*;⁸⁴
- g. the fire was of such concern that, in the view of Captain Young at the hearing, it had to be *fought and fought quickly* and that it was a matter of *do or die to get it under control*;
- h. while Captain Fisher would not have used the description 'enormous', he nevertheless considered the fire to be *a potentially serious and dangerous situation*;⁸⁵
- i. the evidence at the hearing was that, while the Ammunition Point did hold some ammunition that was no longer serviceable and would eventually be destroyed, over 90 per cent of the ordnance stored there was intended for issue for operational use and, even if it was readily replaceable and perhaps thereby

⁸³ Army Press Release, *George Medal for Vietnam Service*, dated 17 September 1969

⁸⁴ Statement by 13029 Sergeant J.A. Jewell, 3 SAS Squadron, 28 February 1969.

⁸⁵ Defence Report to the Tribunal, Attachment 3I.

not ‘mission critical’, its loss would to some extent have had the potential to reduce the war-fighting capacity of the allied forces; and

j. the Minister had publicly released the citation for Staff Sergeant Barber, most likely on advice from the Army, which asserted that a ‘major disaster’ would not have been averted had the fire not been extinguished.⁸⁶

205. Viewed in this light, the Tribunal readily concluded that the fire was very serious and, if not extinguished but left to burn itself out, had the distinct potential to generate very serious consequences, including loss of life or ongoing disabilities for ADF personnel and for civilians. That conclusion and those potential consequence had to be clearly factored into the Tribunal’s assessment of Lieutenant Hulse’s actions against the eligibility criteria.

206. The Tribunal accepted that Lieutenant Hulse’s actions on the day may have been unprecedented, and that they may still remain so, as he claimed. However, the Tribunal considered that this alone could not be determinative of his medallic eligibility. Rather, it was necessary to examine closely the inherent nature of his actions themselves.

207. Despite his team having successfully controlled and extinguished the fire, the Tribunal did not accept Lieutenant Hulse’s assertion that in fighting the fire he had demonstrated *exceptional skills*.⁸⁷ This was because he did not possess any such acquired skills, having never undertaken training in the highly technical speciality of fire-fighting.

208. Rather, the Tribunal concluded that what he displayed was not so much a skill but instead the admirable innate qualities of notable clear-headedness and coolness in a dangerous and pressured situation and a highly ordered and practical approach to a task that was achieved by a sound understanding of strategic consequences and the timely application of common sense.

209. This was amply demonstrated by such actions as the application of significant quantities of water onto burning timber crates and pallets, reversing water trucks up to the bays to prevent them being rendered inoperative by shrapnel penetrating their radiators or engine bays, having the roadway cleared of debris that could puncture the tyres of those trucks and thereby leaving them stranded and the fire inaccessible by other water trucks, and directing Sappers Dunn and Trezise to shield themselves as much as possible behind the bay walls while directing water at the fire.

⁸⁶ Army Press Release, *George Medal for Vietnam Service*, dated 17 September 1969

⁸⁷ Letter, Lieutenant Colonel Hulse to the Tribunal, 19 December 2025.

210. In this regard the Tribunal noted and agreed with the assessment of Captain Fisher in his email to Defence where he said:

*As I recall, Lt Hulse had no fire fighting experience, nor for that matter, had anyone else at the incident. I do not recall thinking that Lt Hulse demonstrated any outstanding firefighting ability, rather it was a matter of doing whatever sensible actions were required.*⁸⁸

211. The Tribunal concluded that Lieutenant Hulse did demonstrate devotion to duty and dedication by persevering in his exchange with Major Blake to be allowed to pass the road block so as to better assess the possibility of extinguishing a fire that Major Blake and Staff Sergeant Barber, having no equipment or water to fight the fire, had very understandably abandoned. By doing this, the Tribunal considered he had performed over and above his duty because, had he simply complied with Major Blake's initial position and similarly abandoned the Ammunition Point, Lieutenant Hulse could not have been criticised for doing so given Major Blake's seniority in rank.

212. Additionally, the Tribunal considered that Lieutenant Hulse had shown sound judgement in concluding that the fire could be successfully fought - albeit that doing so required only a common-sense approach to the task.

213. However, in assessing whether either his devotion to duty, or his achievement to the extent that it demonstrated skill, judgement and dedication was 'outstanding' as required by the eligibility criteria, the Tribunal considered that account needed to be taken of his training and experience as an officer, as Defence had argued at the hearing and in its supplementary submission.

214. In his response to the Defence supplementary submission, Lieutenant Hulse sought to argue that prior training was an irrelevant consideration. He said:

*The Defence statement that "the Tribunal should assess LTCOL Hulse's conduct in light of the training, responsibilities, and standards ordinarily applicable to an officer of his background and appointment" defies the purpose and intent of Letters Patent. ... we have Letters Patent that permit commanders to assess whether or not the actions of ADF personnel are above those that could be expected without regard to background training.*⁸⁹

215. The Tribunal rejected that argument. In any vocation, training and experience are inherent factors in assessing whether expectations have been exceeded and it is this assessment that is at the heart of all defence honour eligibility criteria.

⁸⁸ Defence Report to the Tribunal, Attachment I.

⁸⁹ Letter, Lieutenant Colonel Hulse to the Tribunal, 6 July 2026.

216. The Tribunal was of the view that officer training was designed to instil or confirm qualities such as coolness under pressure, a capacity for devising and implementing practical and achievable strategies, and a preparedness to accept responsibility for the consequences of actions taken. Such qualities may be innate and active in some individuals; in others they may be latent but activated by training; and in yet others they may be not inherent but entirely learned through training. Promotion to the officer ranks after such training serves as recognition that those qualities had been found or acquired.

217. The fact that Lieutenant Hulse had not been trained in fire-fighting was not considered to be of compelling significance in this context where recognition would require 'outstanding' performance in the application of 'exceptional skills', because successful extinguishment of this particular fire required the application of common sense rather than any particular technical knowledge of or experience in firefighting, as could have been required for a fire primarily impacting other substances than wooden crates and pallets.

218. When those factors were taken into account, the Tribunal concluded that Lieutenant Hulse's actions, while undoubtedly brave, commendable and successful, did not rise to the level of 'outstanding'. While it accepted that he had performed over and above his duty, it was not satisfied that the extent to which he did so should be rated as 'significant'.

219. Accordingly, after careful consideration of all the evidence and arguments, the Tribunal concluded that the Defence decision to refuse to recommend Lieutenant Hulse for the Conspicuous Cross was on balance correct, albeit that it disagreed with almost all of the arguments that Defence advanced in support of that decision.

Conspicuous Service Medal

220. Having reached that conclusion, the Tribunal further considered that it was appropriate to do what Defence had failed to do and to go on to assess whether or not Lieutenant Hulse's actions warranted award of the alternative possibility of a Conspicuous Service Medal.

221. For the Conspicuous Service Medal, the eligibility criteria are *meritorious achievement or devotion to duty*.

222. In *Shingles and Manders and the Department of Defence [2022] DHAAT 12*, the Tribunal said:

110. Noting that the CSM falls within the conspicuous service decorations and we did not find in favour of the CSC, we went on to consider the CSM for ...meritorious achievement or devotion to duty ... 'meritorious' is defined in the

*Macquarie Dictionary as meaning ‘deserving of reward or commendation; possessing merit’.*⁹⁰

223. In *Stevens and the Department of Defence* [2024] DHAAT 5, the Tribunal said:

In its report, Defence submitted that there was little guidance regarding what constitutes ‘meritorious achievement or devotion to duty’. For the purposes of its report and making an assessment of Mr Stevens’ actions, Defence stated that it used the definition of ‘meritorious achievement’ as being exemplary behaviour or actions that contributed to a mission, task or job and was of a higher standards than others in similar circumstances; and ‘devotion to duty’ as being commitment over and above the person’s expected duty.

...

*The Tribunal considered whether the definitions of ‘meritorious achievement’ and ‘devotion to duty’ set out in the Defence report set the bar for the Conspicuous Service Medal at too high a level. The Tribunal considered however that those asserted definitions were not unreasonable and that there was nothing else of relevance in Mr Stevens’ service records that would warrant such a recommendation.*⁹¹

224. In its assessment of Lieutenant Colonel Hulse’s application for recognition, Defence said:

*Defence has used the definition of “meritorious achievement” as being exemplary behaviour of actions that contributed to a mission, task or job and was of a higher standard than others in similar circumstances, and “devotion to duty” as being a commitment over and above the person’s expected duty”.*⁹²

225. The Tribunal considered it clear that, having regard to the overall scheme of defence honours, service that met the ‘meritorious’ eligibility criteria did not have to be ‘outstanding’ but could be of a lesser standard. At the same time, merely meeting legitimate expectations would not be ‘meritorious’ and something more commendable and praiseworthy was required.

226. As noted in the previous section, the Tribunal considered that Lieutenant Hulse had demonstrated devotion to duty and in doing so had performed over and above his duty as he could not have been criticised if he had simply accepted the direction of Major Blake as an officer more senior to Captain Fisher. By challenging Major Blake’s prohibition on moving forward and eventually prevailing to gain his agreement to do so, the Tribunal concluded that Lieutenant Hulse had behaved at a higher standard than other

⁹⁰ Shingles and Manders and the Department of Defence [2022] DHAAT 12.

⁹¹ Stevens and the Department of Defence [2024] DHAAT 5.

⁹² Research Report and Merit Assessment – Application to Award 213644 Lieutenant Colonel George Leslie Hulse OAM (Retd) the Conspicuous Service Cross, undated.

Lieutenants who would ordinarily have been expected to have complied with the order or direction of a Major who was an officer more senior to the lower-ranked Captain who had provided the original tasking to the Lieutenant. This set him apart from his peers, by choosing to confront a senior officer on a matter of professional opinion in a situation where the ramifications of having gotten it wrong especially if that resulted in injury or death to any of his team at the ammunition point that would only have occurred because of his decision to confront a Major. His willingness to take this risk and fight the fire regardless, especially given that Major Blake had provided him an easy 'out', clearly set Hulse apart from the usual expectations of his peers.

227. Further, he had achieved a significant feat, having averted a 'serious disaster' that had the distinct potential to generate very serious consequences, including loss of life and ongoing disabilities for ADF personnel and for civilians. Lieutenant Hulse elected to move to the fire to fight it when everyone else, including those directly accountable for the Ammunition Point had abandoned it on the basis that it was too dangerous.

228. And, while he had applied the generic skills and qualities of an officer acquired or found during his training and assumed a degree of responsibility expected of an officer, he did so in the highly technical specialist field of fire-fighting in which he had no training. At the time, fire-fighting was the role of the Army Fire Service, recently formed in recognition of the assessed need for such specialist expertise. As such, in the context of the Conspicuous Service Medal criteria which do not include the word 'outstanding', in the opinion of the Tribunal fire-fighting cannot be said to have been a reasonable expectation of an engineer untrained in that skill.

229. While his lack of fire-fighting training was not considered to be a compelling factor in assessing the Conspicuous Service Cross eligibility criteria for 'outstanding' achievement, the Tribunal considered that it was nevertheless relevant in considering the lesser criteria of 'meritorious' achievement. Despite a lack of training, he made timely and sensible decisions that could readily have been overlooked by someone not thinking as clearly. Throughout it all, there was a genuine risk of serious injury or death. He led from the front, when he could have easily retired. The percussion from the explosions alone (given that some explosions were sufficiently powerful to hurl shrapnel onto the airfield) would have made clear thought difficult. It was hot, chaotic and risky work. And yet, Lieutenant Hulse prevailed in extremely challenging conditions and fought and extinguished the fire to the satisfaction of the 1 ATF Fire Officer.

230. For each of these reasons, the Tribunal concluded that it was readily apparent that Lieutenant Hulse's actions were 'meritorious' and that he clearly met the eligibility criteria for the Conspicuous Service Medal.

231. In doing so, it noted that Staff Sergeant Barber had been awarded a George Medal, Sapper Trezise had been awarded a Mention in Despatches and Sapper Dunn had

been awarded a Conspicuous Service Medal, each for closely-related actions and that one of the principles enunciated by the 1994 Committee of Inquiry into Defence Awards, endorsed by the Government of the day and still equally prescient, was that:

*3. To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded.*⁹³

Tribunal decision

232. In light of all of the above, the Tribunal decided to recommend to the Minister that:

- (a) the Defence decision to refuse to recommend Lieutenant Colonel Hulse for the Conspicuous Service Cross should be affirmed; but
- (b) the Minister should recommend to the Governor-General that Lieutenant Colonel Hulse be awarded the Conspicuous Service Medal.

⁹³ Report, *Committee of Inquiry into Defence Awards*, March 1994.