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The Director - Investigations
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

Aluminium Windows and Doors exported from the People's Republic of China
Investigation No. 691

Dear Director,

We act on behalf of Kete Facadetech Group Pty Ltd ("Kete"), an Australian importer and supplier of aluminium windows, doors, and related façade systems. Kete exclusively serves the commercial and multi-unit residential construction sectors, focusing on Class 2-9 buildings under the National Construction Code ("NCC"). Its business model integrates offshore manufacturing with significant local value-add, including design, engineering, installation, and compliance services, employing Australian workers and contributing to domestic economic activity.

This submission is lodged in response to the application submitted by Ventora Group Pty Ltd ("Ventora") and the Australian Glass and Window Association ("AGWA") (collectively, the "Applicants") in October 2025, seeking the publication of dumping and countervailing duty notices under section 269TB of the *Customs Act 1901* (Cth) ("the Act").

Kete strongly opposes the application and respectfully urges the Commission to terminate the investigation pursuant to section 269TDA(1) of the Act, on the basis that the Applicants have failed to provide sufficient reasonable grounds to establish material injury caused by alleged dumping or subsidisation. The application's evidence is prima facie inadequate, relying on unsubstantiated assertions, aggregated data that masks market segmentation, and a failure to isolate the effects of alleged dumping from other structural factors affecting the industry.

In the alternative, if the Commission determines that the investigation should proceed, Kete submits that it must be divided into two separate inquiries. This division is necessary to distinguish between:

- standard windows and doors used in low-rise residential applications (Class 1 buildings under the NCC), which align with the Applicants' core market; and
- engineered façade systems, including window walls and bespoke products, tailored for multi-unit residential and commercial projects (Class 2-9 buildings), where Kete and similar importers operate without causing the alleged injury.

PROPOSED 'DIVISION' OF THE SUBJECT GOODS.

1. 'Distinct' classes of goods exist

A number of interested parties have made submissions to the investigation to date, highlighting that the parameters of the goods description is so broad, that it covers a significant portion of imported window and door assemblies that:

- are outside the production capabilities of the applicant,
- are substantially different from the applicants like goods in terms of physical characteristics, production processes, market segmentation, distribution channel, etc, and
- do not compete with the like goods sold by the applicant.

Fundamentally, the differences outlined above are driven by the requirements of the building class that the products are designed for, being class 1 and class 2 building specified in the NCC.

a) Building classifications in Australian construction

In the NCC, buildings are classified based on their purpose and use. This classification affects various construction requirements, including those for windows and doors.

- Class 1 Buildings**:** These are typically single dwellings or groups of attached dwellings for residential use, such as detached houses, townhouses, row houses, or villas. They are standalone or horizontally attached and intended for domestic living. Sub-classifications include Class 1a (single or attached dwellings) and Class 1b (small boarding houses or hostels with limited occupants).
- Class 2 and higher Buildings**:** These are multi-unit residential buildings, such as apartments or flats, where units (sole-occupancy units) are stacked vertically or placed side-by-side, often with people living above or below each other. They may include single-story attached dwellings with shared spaces like carparks below.

b) Differences in window requirements

Windows in Australian construction must comply with AS 2047 (Windows and External Glazed Doors in Buildings), which sets minimum standards for performance, including structural strength, water penetration resistance, air infiltration, and operating force. However, requirements differ based on building class, particularly for wind loads, testing, and specification. "Housing" in AS 2047 generally aligns with Class 1 buildings, while "residential" refers to Class 2 (and higher) buildings. These differences stem from the scale, location, and exposure of the buildings, as apartments (Class 2) often face higher wind pressures due to height or urban settings.

Key differences between the classes are summarised below:

Aspect	Class 1 Windows (Housing)	Class 2 Windows (Multi-Residential)
Wind Load Determination	Uses AS 4055 (Wind Loads for Housing), a simplified standard with predefined ratings (N1-N6 for non-cyclonic, C1-C4 for cyclonic regions). Suitable for buildings within geometric limits (e.g., low-rise houses). Ratings consider site factors like terrain, topography, and shielding.	Uses AS/NZS 1170.2 (Structural Design Actions), requiring site-specific calculations by a qualified engineer. This accounts for complex factors like building height, shape, and location, often resulting in higher pressures.
Specification by Purchaser	Nominates a window rating (e.g., N3), exposure classification, and whether it's a corner window (which increases pressures by about 50%).	Nominates exact design wind pressures (Serviceability Limit State - SLS and Ultimate Limit State - ULS) for each window assembly.
Performance Testing Pressures (Examples)	Predefined tables in AS 2047/AS 4055. E.g., for N3 rating: SLS = 600 Pa (general) / 800 Pa (corner); ULS = 1400 Pa (general) / 2000 Pa (corner). Focuses on deflection, strength, and water resistance.	Custom-calculated, often higher due to building specifics. E.g., high-rise apartments may require ULS pressures exceeding 3000 Pa.
Labeling and Certification	Mandatory performance label on each window showing manufacturer ID, SLS/ULS pressures, and water resistance. Required for all housing windows.	Label or certificate provided; not always required on the window itself if a certificate is issued.
Energy Efficiency	Must meet Window Energy Rating Scheme (WERS) under NCC, often simpler due to lower building complexity. Focus on U-value (heat transfer) and Solar Heat Gain Coefficient (SHGC).	Similar WERS requirements, but may involve more stringent whole-building modeling (e.g., via NatHERS for apartments) due to shared walls and orientations.
Typical Applications and Cost Implications	Simpler, cost-effective for low-rise homes. Easier compliance for standard designs.	More complex and potentially costly due to engineering input and higher-rated materials (e.g., thicker frames, reinforced glass). Essential for taller or exposed buildings to prevent failures like leaks or structural issues.

c) Like good assessment

The overly broad goods description fails to account for the critical distinctions between products intended for Class 1 buildings (individual dwellings, such as detached houses) and those for Class 2 buildings (multi-unit residential apartments). These differences warrant division of the current investigation into two separate investigations. One focused on standard windows and doors for Class 1 applications, and another on engineered systems, including window walls and bespoke facades, for Class 2 and higher developments.

The distinctions between Class 1 and Class 2 products are profound and multifaceted, aligning with criteria commonly used in anti-dumping investigations to segment "like products," such as physical characteristics, end-uses, production processes, customer expectations, and channels of distribution. For instance:

i) Physical characteristics and design

Class 1 windows and doors are typically standardised, off-the-shelf items designed for low-rise, single-occupancy structures with simpler performance requirements (e.g., basic weatherproofing and energy efficiency under NCC standards). In contrast, Class 2 products are bespoke, multi-panel engineered systems that integrate structurally with building envelopes, often incorporating advanced features like thermal breaks, acoustic insulation, and high-wind resistance to meet the demands of multi-storey constructions. As noted in the submission from Customs and Global Trade Law Pty Ltd (representing multiple importers), window walls differ fundamentally from standard windows/doors in scale, complexity, and integration, functioning more as façade elements than discrete fenestration units. Similarly, Australis Façade Pty Limited emphasises that their imported äluminium windows & doors (AWD) are custom-made for high-rise complexes, with precise specifications that standard Class 1 products cannot fulfill.

ii) End-use and customer expectations

Class 1 products serve individual homeowners or small builders in residential housing, where cost and simplicity are prioritised. Class 2 products, however, are essential for large-scale multi-unit developments, where developers expect systems capable of supporting high-density habitation, including compliance with stringent NCC requirements for fire safety, energy efficiency, and structural integrity in taller buildings. Hickory Group highlights their use of imported facades for multi-storey projects, noting that local capacity is inadequate for such applications. Procon Materials Pty Ltd further underscores that their systems exceed NCC standards, catering to mid-rise and apartment markets where Class 1-focused manufacturers like the applicants do not compete effectively.

iii) Production processes and channels of distribution:

Manufacturing for Class 1 involves simpler assembly lines using imported components. Class 2 production, conversely, requires advanced offshore tooling and economies of scale unavailable domestically. Distribution channels also diverge with Class 1 products flowing through retail or small-builder networks, while Class 2 involves specialised subcontractors and developers who emphasise the need for high-volume, project-specific supply chains.

2. Case precedent

Such a division of the goods description into separate classes of goods is consistent with international best practices, the Commission's own precedent, and would enable targeted analysis, ensuring that any measures are proportionate and do not inadvertently harm segments of the industry where there is no production of like goods and/or no material injury has been demonstrated.

a) US inquiries

These differences in this AWD investigation is mirrored by the "Diversified Products" criteria applied by the U.S. Department of Commerce to segment broad petitions, ensuring fair and targeted enforcement. In the "Anti-friction Bearings and Parts thereof" investigations, Commerce divided a broad bearing category into five separate classes (e.g., ball bearings vs. cylindrical roller bearings) based on variations in design, function, and end-use, leading to parallel analyses and distinct orders.

Similarly, in "Portable Electric Typewriters" from Japan, non-automatic and automatic typewriters were treated separately due to differences in physical features, production, and customer expectations, with one class excluded from the final order. Finally, "Certain Carbon Steel Flat Products" was divided into four classes (e.g., hot-rolled vs. cold-rolled steel) based on processing, uses, and distribution, yielding targeted determinations.

b) Canadian inquiries

Similar to the U.S. "class or kind" approach, the Canadian International Trade Tribunal (CITT) assesses whether there are multiple classes of like goods within the subject goods. If multiple classes are found, the CITT conducts separate injury analyses for each class (which may result in different domestic industry definitions, different price/volume effects, and different injury/threat findings). This can result in:

- duties imposed on one class but not another,

- one class excluded entirely, or
- differentiated findings even within one overall proceeding.

Relevant examples include:

i) Certain carbon and alloy steel wire

The application covered a broad range of carbon and alloy steel wire and the Canada Border Services Agency (CBSA) initiated a single investigation. The CITT determined that Industrial Wire (commercial/industrial applications), and Retail Wire (small packages ≤1 kg for consumer/retail sale) constituted two separate classes of goods, due to differences in packaging, distribution channels, end-uses, competitive conditions, and purchaser expectations.

ii) Certain pup joints

Within a broader Oil Country Tubular Goods complaint/investigation, the CITT explicitly ruled that tubing pup joints and casing pup joints were separate classes of goods, whilst API 5CT and premium-connection pup joints stayed within one class. Separate injury analyses were performed, with different outcomes for the two pup-joint types. This segmentation was based on physical/functional differences and distinct end-uses in oil/gas wells.

iii) Certain aluminum extrusions

The complaint and investigation covered a wide range of aluminum extrusions. The CITT divided them into two separate classes: standard-shaped (bars, rods, pipes, tubes, angles, channels, beams, tees) vs. custom-shaped (all other shapes). Separate material injury analyses were conducted for each class. The distinction rested on differences in design, production processes, end-uses, and market dynamics.

iv) Certain carbon steel and stainless steel fasteners

The complaint alleged dumping of fasteners broadly (screws, nuts, bolts, etc., in both carbon and stainless steel). The CITT subdivided and made differentiated injury findings: clear injury on certain carbon-steel screws from specific countries, while stainless-steel variants often received different treatment (e.g., negligible volumes leading to termination for some, or threat-only findings). This prevented aggregated distortions across materially different products.

c) Australian precedent

In 2004, the Australian Customs Service (the then investigating authority) examined whether division of certain electric resistance welded circular hollow sections exported from Korea was warranted. Early on in the investigation, Customs considered whether low-grade and high-grade hollow sections '*constituted one good or two separate goods*', noting '*…that there appeared to be two distinct markets into which the different grades were sold*.' A division of the goods was not made in that case, '*… after discussions with interested parties during the investigation, and in the absence of any submissions to the contrary*'. Notwithstanding that Customs dismissed the need to divide the goods description into two

separate classes of goods, this assessment by Customs demonstrates that division is possible under the prevailing Customs Act.

Applying these precedents, the Commission should divide the current investigation into two separate investigations focusing on class 1 windows and doors, and class 2 and higher windows and doors. Without division, the investigation risks targeting non-competing goods, causing undue harm to the Class 2 construction sector that fills capacity gaps, without causing injury to the applicant's Class 1-focused production of like goods.

Dividing the goods description into separate classes for Class 1 windows and doors (standard products for low-rise residential applications) and Class 2 and higher windows and doors (engineered façade systems for multi-unit and commercial projects) would not only align with established precedents but also confer significant advantages to the Applicants themselves. By narrowing the scope of the investigation to their core market segment, being predominantly Class 1 products where Ventora and AGWA operate, the Applicants could present a more targeted and compelling case for injury. This division would prevent the aggregation of data from non-competing segments, which currently dilutes the evidence of harm in their specific area. The Applicants and the Commission could focus resources on examining and demonstrating precise impacts within the Class 1 market segment, potentially strengthening the industry's claims without the burden of addressing extraneous factors that undermine the overall application.

Such a division would facilitate a more focused causal link assessment, automatically isolating the non-injurious effects of Class 2 products that do not compete with local production of Class 1 goods. As per the Commission's Manual and WTO Article 3.5 of the ADA, the Commission must separate the effects of dumping from other injury-causing factors, including market segmentation. By treating Class 2 imports as a distinct category, the investigation would inherently distinguish these complementary imports, which fill domestic capacity gaps in high-rise developments, from any alleged dumping in Class 1, where the Applicants assert direct displacement. This approach would enable the Applicants to establish a clearer nexus between dumped imports and material injury in their segment, free from the confounding influences of Class 2 dynamics, such as bespoke engineering requirements and offshore economies of scale that local manufacturers cannot replicate.

Ultimately, this bifurcation would benefit the Applicants by enhancing the robustness and defensibility of any affirmative findings, reducing the risk of procedural challenges or WTO inconsistencies arising from overbroad analyses. It would promote proportionality in any remedial measures, ensuring duties are applied only where genuine injury is proven, thereby bolstering the Applicants' long-term market position in Class 1 without inadvertently harming unrelated sectors. Kete submits that embracing this division serves the interests of all parties, fostering a fairer process that upholds the objectives of the Act while addressing the Applicants' legitimate concerns in a precise and effective manner.

DIFFERENTIATION BETWEEN MARKET SEGMENTS FOR CASUAL LINK ASSESSMENT

The application's evidence is disproportionately skewed toward the Class 1 housing market, without any attempt to identify and account for the large volume of non-competing imports destined for Class 2 projects. As outlined in the application, the Applicants describe customers as including builders and homeowners, with segmentation by design and

performance, but without distinguishing end-uses. The Applicants primarily cater to low-rise residential needs, while Kete operates in Class 2-9 segments requiring distinct products like window walls. This bifurcation is echoed and confirmed in submissions from other interested parties, which highlight the unique engineering and scale demands of commercial projects.

Should the Commission decline to divide the investigation, it must undertake a causal link analysis that properly isolates and distinguishes material injury according to the distinct market segments for Class 1 and Class 2 buildings, as reflected in Chapter 22 of the Commission's Manual (Causation of Injury). The Applicants' aggregated approach to causation fails to disaggregate injury data by segment, risking the improper attribution of effects from one market to another.

For instance, any purported injury in the low-rise Class 1 sector, where the Applicants operate, cannot be causally linked to imports serving the multi-unit Class 2 market, which demands bespoke, high-volume engineered systems that local capacity cannot adequately supply. As emphasised in Chapter 22 of the Manual, injury caused by other factors must not be attributed to dumping or subsidisation, and the Commission must examine all available evidence to establish a causal link, including through methods like coincidence analysis while excluding non-attributable effects.

The Commission must demonstrate a clear causal link between dumped imports and material injury while examining and excluding other known factors, such as market segmentation and differing competitive dynamics. Chapter 22 of the Manual reinforces this by stating that "injury caused by other factors cannot be attributed to dumped or subsidised imports," and requires the Commission to consider influences like "contraction in demand or changes in the patterns of consumption; trade restrictive practices of, and competition between, foreign and domestic producers; [and] developments in technology." Distinct market segments, with their unique characteristics, end-uses, and supply constraints, constitute such "other known factors" under section 269TAE(2A) that require separation in the analysis to avoid non-attribution violations, as the Manual directs the Commission to "disentangle" their effects from those of dumping.

Furthermore, as part of this segmented causal link assessment, the Commission must conduct a price undercutting analysis that compares the price of the imported goods with the sales price of the locally produced goods, ensuring that the transactions are of similar models and made under the same conditions (e.g., timing, volume, discounts, delivery, credit, same customer etc.), as outlined in section 22.3 of the Manual. This targeted comparison, applied separately to Class 1 and Class 2 segments, would provide critical evidence on whether any price effects in the Applicants' primary Class 1 market can be attributed to dumped imports, while isolating the non-competitive nature of Class 2 imports that address unmet domestic capacity.

WTO jurisprudence, consistent with the principles in Chapter 22 of the Manual, reinforces this obligation for segmented causation assessments. In *US – Hot-Rolled Steel* (WT/DS184/AB/R), the Appellate Body emphasised that authorities must "separate and distinguish" the effects of other injury-causing factors from those of dumping, ensuring a "thorough and persuasive" explanation of why other factors do not break the causal link.

Similarly, in *EU – Footwear (China)* (WT/DS405/R), the Panel concluded that the EU did not adequately ensure that injury caused by other known factors were not attributed to the

subject imports. The product under consideration was defined broadly as “certain footwear with uppers of leather” (a single “like product” encompassing a wide range of styles, qualities, price points, end-uses, and technical characteristics. The EU grouped highly dissimilar footwear types into broad categories, and assessed the domestic industry on an aggregated basis.)

The Panel found fatal flaws in the causation/non-attribution exercise undertaken by the EU because of the failure to properly account for heterogeneity within the broader category. The Panel emphasised that when the “like product” or “product concerned” encompasses markedly different types (varying in physical characteristics, production costs, price levels, substitutability, and market segments), an aggregated, industry-wide analysis without adequate disaggregation or segmentation risks distorting the assessment of both the effects of the dumped imports and the effects of other factors.

The Panel found that broad Product Control Number categories that mixed dissimilar footwear prevented a proper evaluation of whether price undercutting, volume effects, or injury indicators (sales, market share, profitability) were truly attributable to dumped imports across all types, or whether they reflected segment-specific dynamics (e.g., stronger competition or demand shifts in lower-price urban segments versus higher-end or specialised segments).

The Panel found that the EU’s failure to sufficiently disaggregate violated the non-attribution requirement because:

- it relied on broad correlations (e.g., overall volume increases and price undercutting) without addressing segment-specific evidence; and
- it treated the domestic industry and imports as uniform when they were not, making it impossible to isolate whether injury in particular sub-categories was caused by imports or by other factors.

The EU footwear case illustrates that, absent formal division, the Commission must nonetheless conduct a granular, segment-specific causal link evaluation to comply with WTO standards and the Manual's requirements, including the need for positive evidence and an objective examination as outlined in Chapter 22. Without such isolation, any finding of injury would be speculative and susceptible to challenge, as imports into the Class 2 segment do not compete directly with Class 1 products and thus cannot be deemed causative of the Applicants' alleged harm. Kete submits that this segmented approach is essential to ensure an equitable and WTO-consistent outcome.

PUBLIC INTEREST

1. Minister’s discretion to not impose measures

In June 2011[15], the Australian Government announced reforms to the anti-dumping system aimed at improving the way in which the system was administered. Those reforms were a response to the Productivity Commission Inquiry Report No. 48[16], Australia’s Anti-dumping and Countervailing System.

In response to the Productivity Commission’s proposed “bounded” public interest test (Recommendation 5.1), which provided that anti-dumping or countervailing measures would

automatically not be imposed where one of five criteria was met, the Government announced[17] that the Minister's current unfettered discretion not to impose measures was adequate '*to take account of the public interest when circumstances warrant broader matters be considered*'. The Government's report[18] explains that the Commission '*already examines the effect on the market in determining the causes of injury to the industry and in determining the non-injurious price, and it is now proposed the Branch will provide the Minister with information specifically on these matters.*'

In these circumstances, Kete contends that irrespective of the dumping margins determined during the investigation period, the Commission ought to terminate the investigation promptly on the basis of negligible injury caused by subject imports pursuant to subsection 269TDA(13) of the Act, or recommend that the Minister not impose duties pursuant to subsection 269TL(1) of the Act. The current unfettered discretion under s.269TL of the Act allows the Minister to take account of the public interest when circumstances warrant broader matters be considered.

As detailed below, Kete considers that circumstances exist that warrant termination in the first instance, or a recommendation to the Minister that measures not be imposed on the grounds that they would be ineffective at remedying the material injury allegedly suffered by the Applicants, while imposing substantial negative impacts on housing supply and affordability, as well as other broader economic consequences for downstream users, construction activity, and employment in related sectors.

2. Negative Impact on Housing Supply and Affordability

Imposing anti-dumping measures would inflict severe unintended consequences on Australia's housing supply and affordability, directly contradicting national policy imperatives. As AWD products are key inputs into residential construction, which is already under acute pressure from high material costs, labour shortages, and regulatory delays, imposing dumping and countervailing measures would result in the following impacts:

- duties would raise the landed cost of essential building materials, directly feeding through to higher tender prices for new housing projects.
- in a market where housing completions lag well behind population growth and demand, any upward pressure on input costs exacerbates shortages, lengthens project timelines, and reduces overall supply.
- this feeds into reduced housing affordability for first-home buyers, renters, and lower- to middle-income households, compounding existing crises in access to shelter, a fundamental public interest consideration.

This would potentially derail the National Housing Accord's target of 1.2 million new homes by June 2029.

3. Broader Economic Consequences

The Applicants' narrow focus on purported injury to small-to-medium manufacturers overlooks the cascading economic repercussions on the $324.6 billion construction sector, which constitutes 11.7% of GDP. As argued by Master Builders Australia and Armstrong Building Pty Ltd, every $1 million in building activity generates $3 million in economy-wide

effects, and imposing measures would amplify cost escalation, insolvencies, and productivity losses, particularly in the infrastructure pipeline.

Therefore, beyond housing, dumping and countervailing measures would generate ripple effects across the broader economy, including:

- downstream industries: residential and non-residential construction, infrastructure projects, manufacturing (e.g., prefabricated buildings, fencing, automotive components), and retail/hardware sectors would face higher input costs, reduced competitiveness, and potential job losses or deferred investment.
- Consumers and taxpayers: higher construction costs translate into elevated prices for homes, commercial buildings, and public infrastructure (e.g., schools, hospitals, transport), increasing the fiscal burden on government budgets.
- Net community cost: consistent with Productivity Commission guidance, where measures are ineffective and trigger needless downstream harm, the overall welfare loss to the Australian community (measured in higher prices, reduced output, and allocative inefficiency) outweighs any injury prevention benefit.

CONCLUSION

For the foregoing reasons, Kete respectfully urges the Commission to terminate investigation No. 691 immediately, pursuant to section 269TDA(1) of the Act. The application fails to establish reasonable grounds for material injury (or threat thereof) caused by the alleged dumping or subsidisation of AWD from China. The evidence presented is prima facie inadequate: it rests on unsubstantiated assertions, aggregated industry data that obscures critical market segmentation, and a complete failure to isolate the effects of any dumping from other structural factors, most notably the profound differences between Class 1 and Class 2–9 building applications under the National Construction Code.

In the absence of positive evidence of injury attributable to subject imports, continuation of the investigation would be inconsistent with the statutory threshold and the Commission's obligation to conduct an objective examination.

In the alternative, should the Commission decide that the investigation must proceed, Kete submits that it is both necessary and appropriate to divide the proceeding into two distinct inquiries. The first would address standard windows and doors for low-rise residential (Class 1) buildings, the core market segment in which Ventora Group Pty Ltd and the Australian Glass and Window Association operate and where any alleged injury must be demonstrated. The second would address engineered façade systems, window walls and bespoke products designed for multi-unit residential and commercial (Class 2–9) developments, the segment in which Kete and like-minded importers specialise.

Such division is compelled by the existence of two fundamentally "distinct" classes of goods. The differences are not marginal, but are driven by the building classification regime in the National Construction Code and are reflected across every relevant "like product" criterion: physical characteristics and design complexity, end-use and customer expectations, production processes, channels of distribution, performance specifications (including wind-load determination under AS 4055 versus AS/NZS 1170.2), testing pressures, certification requirements, energy-efficiency modelling, and competitive conditions.

The table included in this submission illustrates these distinctions with precision. Products destined for Class 2–9 projects do not compete with, and cannot displace, the Applicants' Class 1 production. Treating them as a single category risks precisely the type of aggregated distortion that both Australian precedent and international best practice condemn.

Division aligns squarely with the Commission's own historical practice, with the "class or kind" jurisprudence of the United States Department of Commerce, with the Canadian International Trade Tribunal's repeated segmentation of broad product categories, and with the need to ensure proportionate, WTO-consistent remedies. Even in the absence of formal division, the Commission is required, pursuant to Article 3.5 of the Anti-Dumping Agreement and reflected in Chapter 22 of the Manual, to perform a segmented causal-link analysis that isolates the effects of imports in each market segment and excludes non-attributable injury. The Applicants' failure to disaggregate their data by building class renders their causation case defective, and the Commission must correct that defect.

Finally, termination or a recommendation that the Minister exercise the unfettered discretion under section 269TL(1) not to impose measures, is overwhelmingly in the public interest. Anti-dumping duties on the broad class of goods now under investigation would raise input costs for an already strained residential construction sector, directly undermining the National Housing Accord's target of 1.2 million new homes by 2029. The cascading effects, higher tender prices, delayed projects, reduced housing affordability, downstream losses in a $324.6 billion industry that contributes 11.7 % of GDP, and net community welfare losses, far outweigh any marginal benefit to the Applicants' narrow Class 1 segment. The Productivity Commission's earlier critique of the anti-dumping system and the Government's 2011 reforms confirm that the Minister's discretion exists precisely for circumstances such as these.

Kete therefore requests that the Commission terminate the investigation or, at minimum, divide it into two separate inquiries limited to the genuinely competing Class 1 segment. Either course would ensure procedural fairness, avoid WTO inconsistencies, protect the interests of the Applicants in their core market, and most importantly, safeguard Australian housing supply, affordability, and broader economic welfare.

John Bracic