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15th July 2026

The Director
Investigations 1
GPO Box 2013
Canberra ACT 2601 Australia

By email: investigations1@adcommissioner.gov.au

Dear Commissioner

Investigation No 692 - Certain welded steel mesh sheets

Instant Steel Solutions Pty Ltd (**ISS**) an Australian importer of welded steel mesh sheets (**GUC**). ISS purchases the GUC from foreign producers. ISS is impacted by Investigation No 692 into certain welded steel mesh sheets.

PAD and issues impacting domestic supply

ISS understands the expectations on the Commissioner to make a preliminary affirmative determination (**PAD**) at the earliest opportunity, where the circumstances warrant, to prevent injury occurring during investigations.

Naturally, a PAD can only be made where permitted under section 269TD of the *Customs Act 1901* (**Act**) and the circumstances warrant the publication of a PAD. The requirements under the Act for the making of the PAD are that there appears to be reasonable grounds for the making of a dumping notice. This in turn requires the Commission to be satisfied that there are reasonable grounds for a finding of dumping and that because of that dumping, material injury to an Australian industry producing like goods has been, or is being, caused or is threatened.

ISS makes no submissions in respect of the Commission forming reasonable grounds regarding the existence of dumping, other than to say that prior to the verification of exporter questionnaires, any view as to the existence of dumping would be purely speculative.

In terms of material injury, or threat of material injury, it is important that the Commission takes into account factors that may be affecting the supply of domestically produced GUC which may be the primary cause of any material injury, or threat of material injury.

On 27 April 2026, the Financial Review reported that the Whyalla steelworks would be shut for at least 5 weeks after its blast furnace was unexpectedly closed for maintenance.¹ This closure was expected to cause significant problems for the construction industry, particularly, for the supply of steel reinforcing products used in concrete. This includes steel mesh. This problem arises as, while Whyalla does not produce steel mesh, it produces steel billet which is processed at InfraBuild's Newcastle mill into steel rod for mesh.²

¹ <https://www.afr.com/companies/manufacturing/whyalla-steelworks-five-week-shutdown-causes-chaos-for-builders-20260427-p5zr9n>

² See page 38 pf the InfraBuild application.

On 13 May 2026 the Financial Review reported that the blast furnace to the Whyalla steelworks had already been offline for 5 weeks and that it will be difficult, if not impossible to revive³. It was noted that the owners of InfraBuild had failed to conduct vital maintenance while operating the plant.

[REDACTED]

[Discussion of the content of a confidential letter dated 22nd May 2026 which includes communications regarding: the continued billet supply issues, uncertainty around future supply, the supply risk for specific SKUs and the outlook for future supply and the enclosure of the letter]

On 30 May 2026 ABC News reported⁴ that the Whyalla blast furnace is still shutdown:

“There's a critical six to eight weeks ahead for the blast furnace to try and bring it back up to life”

“That plan is to continue to use part of the existing steelmaking process, while replacing the blast furnace with a direct reduction iron (DRI) facility and an electric arc furnace (EAF).

But to order, build and install that infrastructure is expected to cost several hundreds of millions of dollars and take two to three years.

The blast furnace is not expected to last that long, even if it can be brought back online.”

Any inability of InfraBuild to consistently supply the GUC must cast significant doubt over the extent to which imported goods, rather than any domestic supply chain issues, are the cause of any injury suffered by InfraBuild.

In addition, the Commissioner can hardly form the view that securities are necessary to prevent InfraBuild suffering injury [REDACTED]

[REDACTED] **[Summary of InfraBuild market report to one of its customers]** the media is repeatedly reporting that the Whyalla blast furnace is not operational.

In the circumstances, the Commission has to identify to what extent any injury, or threat of injury, to InfraBuild is caused by factors other than the alleged dumping of the GUC. In particular, the Commission is encouraged to directly investigate [REDACTED]

[REDACTED] **[the impact of InfraBuild communications to customers]** and more generally, the extent to which it can supply Australian produced GUC.

InfraBuild claim of threat of injury

³ <https://www.afr.com/companies/manufacturing/whyalla-steelworks-bailout-heads-past-2-6b-as-blast-furnace-fails-20260513-p5zw8b>

⁴ [Whyalla community cautiously optimistic about steelworks sequel - ABC News](#)

The above considerations are relevant to both the assessment of whether a PAD is necessary and also when considering the claims made by InfraBuild in its submission dated 10 June 2026 that the rapid increase in the volume of dumped imports from the subject countries will create a situation where the threat of material injury to the Australian industry is foreseeable and imminent.

To the extent that InfraBuild wishes to base its case for dumping duties on the threat of material injury, the prevalence of causes other than dumping must be fully investigated by the ADC. In particular, the ADC must investigate the extent to which:

- concerns about reliability of supply impact customer decisions;
- the financial impact of disruptions at Whyalla on InfraBuild; and
- any additional imports of the GUC by Australian industry;
- any additional Australian industry sourcing costs such as needing to obtain steel billet from an alternative source, and
- any changes to supply chain necessitated by Whyalla's uncertain ability to supply billet.

In its 10 June 2026 submission, InfraBuild alleges a significant increase in the volume of importer GUC from China in 2026. If this is in fact the case, the ADC must investigate whether the increase imports:

- are due any inconsistency or uncertainty of supply of domestically produced GUC;
- whether any increased imports are by the Australian industry producing the GUC;
- whether any imported goods are in fact causing injury to the Australian industry. Put differently, can imported goods be displacing, or reducing the price of, the supply of Australian produced goods, if the Australian industry is operating at capacity (albeit a limited capacity due to infrastructure issues).

Exports from Malaysia

In respect of exports from Malaysia, Infrabuild's 10 June 2026 raises a material point. Infrabuild argue that from the commencement of INQ 634 until 21 July 2025, the existence of the ant-circumvention inquiry had the effect of suppressing export volumes from China. During that period the Australian market share increased. However, during this time, InfraBuild state that exports from Malaysia were 19% of all exports from the subject countries compared to 18% in the period 1 October 2021 to September 2024.

The ADC must investigate the InfraBuild claimed reality that a suppression of demand for Chinese imports of the GUC caused an increase in Australian industry market share, but no material change in the market share of Malaysian exported GUC.

When there was a claimed opportunity to increase market share, the Australian industry was able to do so to the exclusion of Malaysian exports. This sustained market occurrence must cast serious doubt over the claimed causal link between the price of Malaysian exports and any injury suffered by the Australian industry.

Ministerial Statement of Expectations

The Minister's statement of expectation requires the Commission to consider the strategic environment and that Australia depends on a strong advanced manufacturing capability. If there has been a materially increased risk of interruption to the supply of the GUC by the largest Australian manufacturer, it is important that the Commission take this into account. Any short or longer term interruption to the Australian supply chain is part of the strategic environment that the Commission must consider.

Further, imposing securities on the GUC at a time when the Australian industry may not be able to consistently ensure supply, does not promote a strong Australian manufacturing capability.

We encourage the Commission to fully investigate the extent to which the Australian industry has a current capacity to reliably supply the GUC and take this into account when considering the making of any PAD and ultimately, its recommendations regarding the making of any dumping notice.

Please contact us with any questions.

Mark Trevascus

A handwritten signature in black ink, appearing to read 'Mark Trevascus', with a stylized, cursive script.

Director
Instant Steel Solutions