



NOT CONFIDENTIAL

1 September 2026

Senator, the Hon Tim Ayres
Minister for Industry and Innovation and Minister for Science

Via email: Minister.Ayres@industry.gov.au

Anti-Dumping Review Panel
Industry House
10 Binara Street
Canberra ACT 2600

Via email: ADRP@industry.gov.au

Dear Minister and Review Panel,

ADN 2026/064 - Applications for Review of Minister's Decision following Anti-Circumvention Inquiry 685 – Hollow Structural Sections

We are Engineering Procurement and Construction contractors, Project Owners, and Stakeholders involved in the delivery of major solar and infrastructure projects across Australia, and we are writing in support of the application for review lodged by Nextpower Australia Pty Ltd (**Nextpower**).

We write this letter with utmost respect for the anti-dumping framework, and the Anti-Dumping Commission. We hold a genuine concern that the decision recorded in Anti-Dumping Notice 2026/064 — made at the conclusion of Anti-Circumvention Inquiry 685 — if allowed to stand will produce negative consequences that are both significant and unintended. We are importers of torque tubes that are affected by that decision, or parties directly impacted by its effects.

We acknowledge upfront that anti-dumping measures serve a legitimate and important purpose in protecting Australian industry from unfair trade practices. That purpose is one we support. Our concern is not with the framework itself, but with the risk that its current



application may reach well beyond the conduct it was designed to address — capturing ordinary, project-essential engineering fabrication as though it were deliberate circumvention of measures.

The products at issue are not commodity steel. They are highly engineered, project-specific structural components manufactured to exact technical standards and installation requirements unique to each project. Activities such as drilling, swaging, and forming are not adaptations designed to avoid duties — they are the minimum necessary steps to make a structural component fit for purpose within a complex renewable energy system.

Characterising them as circumvention conflates the conduct of bad-faith importers with the routine engineering decisions of project developers and EPC contractors building nationally significant infrastructure.

We endorse what Nextpower has said about the commercial impacts of the decision in grounds 3 and 6 of its application for review. We are concerned that, without a clear distinction between genuine circumvention and downstream fabrication that is integral to project delivery, the expanded measures will produce serious collateral harm, including:

- significant cost increases on projects already financed and committed;
- delays to construction schedules and energisation milestones tied to contracted obligations;
- increased risk to financing arrangements and offtake agreements;
- reduced investment confidence across Australia's renewable energy pipeline; and
- broader impacts on the energy transition outcomes the Government is actively working to accelerate.

These are not speculative risks. They are the direct and near-term consequences for projects that are already underway, many of which cannot readily be re-specified or re-sourced without significant disruption and cost. For the reasons outlined in relation to ground 3 of Nextpower's application we ask that that the decision to extend the measures be reversed.

This is not intended to weaken Australia's anti-dumping protections. Rather, it is intended to support Nextpower's request for an outcome that gives effect to the policy's intended purpose — addressing genuine circumvention — while avoiding unintended impacts on downstream industries and infrastructure projects that rely on integrated, internationally sourced supply chains.



If the Review Panel decides that extended measures are warranted, then we endorse Nextpower's proposals for a refined scope of any extension to the measures (as outlined in ground 2 of its application) — that distinguishes between surface-level modifications designed to evade duties and substantive fabrication that transforms a product for a specific engineering purpose, and has been in place for a long time. We consider that would better serve the intent of the anti-dumping framework while preserving the supply chain integrity that major projects depend upon. We encourage you to give careful consideration to this distinction.

If you would like any additional technical detail, project-specific context, or constructive input we would be happy to meet with you to provide it. We will make ourselves available at short notice.

We thank you for your consideration of this submission. The decision made on Nextpower's application will have lasting and substantial implications for Australia's renewable energy sector, and we are confident that a well-calibrated outcome is achievable.

Sincerely,

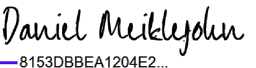
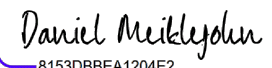
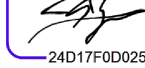
A handwritten signature in black ink, appearing to read 'Peter Wheale'.

Peter Wheale
Managing Director, SVP Sales – ANZ/SEA
Nextpower Australia Pty Ltd

A handwritten signature in black ink, appearing to read 'Justin Leung'.

Justin Leung
Director, Operations – ANZ/SEA
Nextpower Australia Pty Ltd



Business Name	Name	Title	Signature
Potentia Energy	Gabri Mallarini	COO	Signed by:  FBF9E0027E3E4AB...
Frontier Energy	Lee Illingworth	COO	Signed by:  AC304249C7C3425...
Wollemi Energy Group	NATHAN WISE	Chief Executive Officer	Signed by:  7D007D80DDEB47A...
Searo Electrical Services	Daniel Meiklejohn	Executive General Manager	Signed by:  8153DBBEA1204E2...
Edify Energy	Sam Hill	Head Technical Officer	Signed by:  8153DBBEA1204E2...
Gamuda Engineering	Yew Weng YEE (Ewan)	CEO	Signed by:  24D17F0D025A469...