3 November 2026

Mr David Latina

The Commissioner

Australian Trade Remedies Commission
GPO Box 2013,

Canberra, ACT 2601

Email: Investigations1@atrc.gov.au

Dear Mr Latina,

Submission: Anti-Dumping Trade Remedies Notice (TRN) No. 2026/147 & Statement of Essential Facts (SEF) No 691

Palumbo Pty Ltd, a South Australian family-owned developer/builder welcomes the opportunity to comment on the preliminary findings concerning the alleged dumping of aluminium windows and doors (AWD) exported from the People's Republic of China, dated 14 October 2026.

691 - Statement of Essential Facts - 14 October 2026

691-502-notice-trn-2026-147-findings-of-a-preliminary-affirmative-determination_0 (3) - Adobe cloud storage

Palumbo supports robust action against exporters found, on evidence, to have dumped goods and harmed Australian industry. However, the proposed measures risk penalising exporters without an individual finding of dumping, while imposing substantial and immediate costs on Australian housing projects. The measures should be recalibrated so that penalties are evidence-based, proportionate and directed at the exporters responsible.

Summary

Palumbo explicitly supports the investigation and penalisation of manufacturers found to be dumping products below cost to protect Australian industry from unfair trade practices. We support the Commissioner in identifying and holding genuine offenders accountable.

However, Palumbo is profoundly concerned that the current recommendations undermine this objective, penalising manufacturers irrespective of whether they have been found to engage in dumping. In effect, the recommendations risk rewarding the very conduct they seek to deter, while disproportionately punishing compliant manufacturers and the Australian housing industry.

They also effectively compel high-rise apartment developers to continue sourcing Chinese windows, given the absence of a reliable Australian supply chain with the capacity, scale and industry experience necessary to meet the specific requirements of these projects.

- **Investigated manufacturers found to have dumped:** received penalties of up to 51.6%.
- **Other manufacturers:** received tariffs of 73.3% — at least 21.7 percentage points higher — despite not having been individually investigated or afforded a meaningful opportunity to substantiate their position.

The Commission identified 1,435 Chinese manufacturers supplying Aluminium Windows and Doors (AWD) to Australia (SEF, p. 311), yet appears to have individually investigated only a small fraction of these manufacturers. Consequently, the vast majority have neither been investigated nor found to have engaged in dumping.

There is no net barrier to "bad actors" because "good actors" are punished simply for being a Chinese company - the only one punished is the Australian housing industry and ultimately any Australian home buyer who the additional costs will be passed onto. Which is counter intuitive in a housing and cost of living crisis and will only aid in exacerbating both.

For high-rise residential construction, particularly Class 2 buildings exceeding seven storeys, there is no established Australian supply market capable of meeting the required scale, technical experience, manufacturing capacity, cost and delivery timeframes. The resulting tariffs therefore flow directly into construction costs, threatening project viability, housing affordability and the delivery of much-needed apartments.

Palumbo strongly urges the Commissioner to reconsider the proposals and, at a minimum, implement the following amendments:

1. **Exclude manufacturers not found to have dumped AWD:** No tariff should be imposed on a Chinese manufacturer unless it has been individually investigated and found to have engaged in dumping, irrespective of whether it provided information, provided it has not obstructed the investigation.
2. **Investigate before penalising:** Where the Commissioner suspects other manufacturers of dumping, those manufacturers should be specifically investigated and afforded a reasonable opportunity to respond before any anti-dumping measures are imposed. Surely the cost of managing tariffs is more than that to investigating the individual perpetrators, if and when they are found to be dumping.

Project Background & Commercial Commitments

The Royal Apartments is a significant tier 1 construction project, that will supply 206 housing opportunities to the South Australian market ranging from 1-4-bedroom apartments, with an extensive façade package. At a time when SA needs houses to support the state economy. The imposed tariff will affect our current façade supply package in excess of $700,000. This represents a significant commitment within the project's overall construction costs. The package has been developed around project-specific requirements and supply arrangements. The products cannot necessarily be substituted or re-procured without further commercial, technical and program assessment.

The preliminary measures create uncertainty as to the final landed cost of the goods and the financial responsibility for any additional amounts payable at importation. Where the relevant supply arrangements and construction pricing were established before 15 October 2026.

We request that the Commission consider the actual circumstances of this project, including the timing of the relevant quotations, contractual commitments, orders and manufacturing arrangements.

Financial Impact

An increase of this magnitude would have serious implications for the project's budget and commercial arrangements. It will affect the cost of delivering the development, especially where the façade package has been procured against previously established pricing and project allowances.

Unexpected increases in the cost of a major façade package are not isolated supplier issues. They affect the project's overall financial position, cash flow, subcontract administration, procurement decisions and ability to maintain the planned construction sequence or project commencement.

Palumbo requests that the Commission give appropriate weight to the project-specific nature of the package and the consequences after the commercial decision has been made.

Specification

The façade package for The Royal Apartments has been developed for a particular high-rise residential Class 2 building consisting of mostly window wall, rather than residential series punch windows.

Its design and procurement are linked to the approved architectural design, project-specific dimensions, façade layouts and façade engineering documentation, performance requirements and coordination with the building's structural and building services systems.

Any proposal to replace the nominated products or change the supply arrangement would require appropriate assessment of matters including:

- Compliance with the project specifications and applicable building requirements.
- Façade engineering, structural interfaces and design certification.
- Weatherproofing, water penetration, air infiltration and other relevant performance criteria.
- Architectural appearance, finishes, dimensions and integration with adjoining building elements.
- Shop drawings, design coordination, approvals and manufacturing lead times.
- Procurement, shipping, installation sequencing and potential programme impacts.

Concerns- Penalties aren't aligned with findings

The Statement of Essential Facts identifies 1,435 Chinese manufacturers supplying AWD to Australia, but only a limited number were individually investigated. The investigated exporters found to have dumped goods collectively account for approximately 29% of Chinese AWD exports to Australia (SEF, p.36).

The Commissioner concluded that dumped goods exported from China (excluding Altop) and subsidised goods exported by non-cooperative Chinese entities appeared to have caused material injury to Australian industry producing like goods. Importantly, this finding applies broadly to Aluminium Windows and Doors (AWD) across property classes 1–9, rather than being confined to a particular building class or market segment.

> The Commissioner investigated five Chinese exporters: Broad, Foshan AMJ, Guangdong Kete, Yuanjiang and Zhuhai Yipeng. The investigation found that these exporters had supplied dumped goods to Australia, with dumping margins that were not negligible. Some exporters were also found to have received subsidies, although the subsidy margins were negligible in certain cases (SEF, p. 13). Tariffs were consequently imposed in accordance with the Commissioner's assessment of each exporter's conduct (SEF, p. 12). However, these five exporters collectively account for only approximately 29% of Chinese AWD exports to Australia (SEF, p. 36). This means the findings against a small proportion of Chinese exporters have effectively become the basis for imposing tariffs across the substantially larger pool of exporters.
>
> Altop was the only investigated Chinese exporter found not to have exported dumped goods to Australia. Accordingly, Altop was not subject to dumping duties.
>
> This demonstrates that dumping was not a universal practice among Chinese AWD manufacturers, even within the Commissioner's investigated sample.

Residual exporters: A further group of Chinese exporters provided information in response to the Commissioner's Preliminary Information Request (PIR), published on the Commission's website (SEF, p. 30).

Despite providing information, these exporters were not individually investigated. The Commissioner expressly acknowledged:

> "Due to the large number of entities who provided a PIR response (discussed in section 2.4.3), the Commissioner consider that it was not practicable to examine the exports of the exporters listed in section 2.4.3. These exporters are residual exporters."

In effect, these exporters were not afforded an individual assessment of whether their exports were dumped or subsidised. Instead, they were allocated residual tariff treatment without the Commission establishing, through an individual examination, that they had engaged in the conduct giving rise to the duties.

The Commission classified uncooperative exporters as any other Chinese exporter that failed to provide information requested for the purposes of the investigation (SEF, p. 132). However, the Commission's approach to notifying exporters was to publish a PIR on its website, rather than directly contacting each of the identified Chinese manufacturers and requesting their participation. This raises a fundamental question of procedural fairness. The Commission identified 1,435 Chinese manufacturers supplying AWD to Australia. On our assessment, approximately 1,318 of these exporters were ultimately classified as uncooperative.

Effectively, an exporter could be classified as uncooperative simply because it did not locate, understand or respond to a request published on an Australian government website. That classification then exposed the exporter to the highest applicable tariff treatment, irrespective of whether it had actually engaged in dumping. We as Australians would see that as unjust.

In addition, any exporters who provided information but the Commissioner regarded as incomplete in content or timeliness, they would also be considered "uncooperative". This is an extraordinarily low bar for offence that carried the maximum tariff penalty.

It is irrational that residual exporters get slapped with a 24.4% tariff for doing exactly what the Commissioner asked. This is higher than the tariffs of most "bad actors", and with no evidentiary basis. A question you should consider is would Australian Exporters like the same being done in reverse.

It is equally non-sensical to slap a maximum 73.3% tariff on 1,318 exporters tagged as "uncooperative" because (the vast majority), simply did not respond to a PIR posted on the Commission's website. This is not only higher than the highest "bad actor" tariff but is based on no evidence of wrongdoing – it is dis-ingenuous to a major trading partner and smacks of expedience.

Market Impact

The practical effect is not to create an immediate Australian alternative for high-rise projects. The domestic market has suppliers of conventional residential windows, but Palumbo understands that there is limited Australian capacity to deliver bespoke, technically complex AWD systems for Class 2 buildings of seven or more storeys at the required scale, quality and pace.

For these projects, façade systems are engineered and coordinated around project-specific dimensions, architectural requirements, structural interfaces and building performance criteria. Replacing a nominated system is not a simple supplier substitution.

We do not support the imposition of tariffs on exporters solely because they are Chinese AWD manufacturers. Tariffs must be evidence-based, proportionate to the conduct established and directed at those responsible for wrongdoing — not indiscriminately applied across an entire export market. Disproportionate measures risk producing outcomes that punish Australian developers and, ultimately, Australian homeowners rather than the parties responsible for the alleged conduct.

Any tariffs should be levied based on actual evidence of wrongdoing and the tariffs should reflect the level of the wrongdoing, that will have detrimental effects on future Australian homeowners.

While Australia has numerous manufacturers servicing the Class 1 dwelling AWD market, domestic manufacturing capability for Class 2 and above is substantially more limited. In particular, there is no Australian manufacturer currently operating at the practical scale required to service high-rise projects of seven or more storeys.

Consequently, the housing industry is left with three practical options:

a. **Source from alternative overseas exporters** — where suitable manufacturers can meet the necessary technical, quality, capacity and programme requirements.
b. **Pay the tariff security** to release imported products from the wharf. This is likely to be the most common outcome, transferring a substantial additional cost directly into housing projects.
c. **Delay, or abandon projects** where the additional costs make developments commercially unviable, particularly where developers or suppliers cannot fund the potentially millions of dollars required to secure the goods.

While increasing domestic manufacturing is a desirable outcome, the evidence from high-rise developers suggests this capacity is simply not available at the scale required. Survey respondents have indicated that, in many cases, there is no viable alternative domestic supplier. For projects already under contract or committed to construction, developers have little practical choice but to absorb the additional costs or risk contractual disputes and litigation.

There are overseas manufacturers with the proven experience, manufacturing scale, technical capability, programme certainty and cost competitiveness necessary to deliver complex, bespoke AWD systems for high-rise developments.

By comparison, Australia's domestic manufacturing market remains constrained in its capacity to deliver these highly specialised products at the scale, quality and speed demanded by major developments. Developers cannot reasonably be expected to risk millions of dollars on unproven systems or manufacturers without an established track record in technically complex high-rise applications.

The fundamental issue is that tariffs do not create manufacturing capacity where it does not exist. Instead, where there is no practical domestic substitute, they simply increase the cost of construction.

With AWD representing approximately 20–30% of high-rise construction costs, the impact of these tariffs is substantial. Rather than meaningfully stimulating domestic manufacturing, the measures risk increasing development costs, undermining project viability, delaying housing delivery and ultimately reducing housing supply and affordability.

The unintended consequence is that Australian homeowners and prospective purchasers will bear the cost of measures intended to protect Australian industry, despite there being no practical domestic alternative capable of meeting the market's requirements.

Relief Sought

Palumbo respectfully requests that the Commission:

- Reconsider the application of residual and “uncooperative” rates and not impose punitive tariffs on exporters who have not been specifically found to have dumped AWD, absent an evidentiary basis for doing so.
- Investigate exporters where there is a proper basis to suspect dumping before applying a dumping rate and ensure that any rate imposed reflects the conduct and evidence established.
- Consider project-specific relief for The Royal Apartments, including any available exemption, transitional arrangement or other lawful mechanism for the identified façade package and its pre-existing procurement commitments.
- Assess the practical availability of alternative suppliers by reference to the project’s technical requirements, certification, manufacturing capacity, lead times and construction programm.
- Consider the financial and programme consequences of applying the measures to existing contracts and work in progress before making a final determination.

Conclusion

Palumbo supports effective anti-dumping measures. Those measures must, however, target proven dumping rather than impose the greatest burden on exporters who have not been individually found to have engaged in it—and on Australian housing projects that have limited practical alternatives.

For The Royal Apartments, the proposed measures place a substantial, unforeseen cost at risk on a project-specific façade package procured against established pricing and commitments. Without appropriate consideration or relief, the consequences may include significant cost increases, contractual disputes and construction delays.

Palumbo asks the Commission to reconsider the proposed approach and give proper weight to both the evidentiary basis for the rates and the circumstances of existing projects. We are willing to provide supporting procurement, contractual and technical information to assist the Commission's assessment.

Yours Sincerely,

Daniel Palumbo

Managing Director



DANIEL PALUMBO

PALUMBO
MANAGING DIRECTOR

Daniel Palumbo is a prominent figure in South Australia's construction and property development sectors, serving as the Managing Director of Palumbo. With over three decades of experience, he has led the company in delivering numerous successful projects for both government and private sector clients. Under his leadership, Palumbo has undertaken significant developments, including the $150 million Sofitel Adelaide project. This 33-level luxury hotel and residential tower, located at 108 Currie Street, stands as a testament to his commitment to enhancing Adelaide's skyline and hospitality offerings. In addition to his role at Palumbo, Daniel Palumbo has been actively involved in industry leadership. He served as the President of the Urban Development Institute of Australia (UDIA) South Australia Division, contributing to the advancement of urban development policies and practices in the region.

His contributions to the construction and development industries have solidified his reputation as a key influencer in shaping South Australia's built environment.

Qualifications

Bachelor of Engineering
University of South Australia

Diploma of Property Services Real Estate Institute of South Australia

Expertise

- Construction
- Acquisitions and Finance
- Project Planning
- Negotiation
- Contract Management
- Development Strategies and Risk
- Management
- Property Research
  Sales and Marketing
- Project Delivery

Affiliations

- Executive board member (UDIA)
- Management Committee member (UDIA)
- Executive Advisory Committee (UDIA)
- President UDIA 2022-2024
- Committee Member for the Department of Trade and Investment - Minister's Liaison Group (2023)
- National Construction Code (NCC) – 2022 Implementation Working Group (2023)
- Member of Engineers Australia
- Committee for Adelaide Priority Action Group Member (Business Attraction) 2015
- Housing Industry Association
- Master Builders Association MBA SA 2015.
- Business SA
- Member of the Property Council Australia (PCA), Planning and Urban Design Committee (SA) 2012-2014
- Master Builders (MBA SA) Residential
  Committee member 2008-2010.