PUBLIC RECORD – NON-CONFIDENTIAL VERSION

9 November 2026

Attention: The Director – Investigations 1
Australian Trade Remedies Commission
GPO Box 2013
Canberra ACT 2601

By email: investigations1@atrc.gov.au

INVESTIGATION NO. 691 | ALUMINIUM WINDOWS AND DOORS EXPORTED FROM CHINA
RE: Submission in Response to Statement of Essential Facts No. 691 and Trade Remedies Notice No. 2026/147

Dear Director,

1. Introduction

Orwell Constructions Pty Ltd (ABN 16 623 252 728) makes this submission as an interested party in Investigation No. 691. Orwell is a Sydney-based building contractor delivering residential, commercial, retail, industrial, hospitality, aged care and fit-out projects across the Sydney region. Orwell holds a Gold rating under the Independent Construction Industry Rating Tool (iCIRT). Orwell is an end user of aluminium windows and doors exported from China.

This submission responds to Statement of Essential Facts No. 691 (**SEF 691**) and the preliminary affirmative determination published in Trade Remedies Notice No. 2026/147 on 14 October 2026.

2. Orwell's interest

Orwell is the main contractor for a commercial development at 49–53 Bay Street, Double Bay NSW, comprising ground floor retail and office tenancies above.

In December 2025, Orwell entered into a fixed-price supply agreement with a supplier based in China (name can be provided on request) for the façade windows, doors, louvres and glass reinforced concrete elements. The agreement was entered into before the preliminary affirmative determination and before any securities were imposed.

The Level 1 to Level 5 windows were shipped before 15 October 2026 and have been granted a Goods on Water Exemption. The Ground Floor windows and doors did not qualify for that exemption and are subject to securities at the "All Other Exporters" rate of 73.3% (70.4% dumping security and 2.9% countervailing security).

3. The goods affected

The Ground Floor goods are bespoke architectural products designed for this project's retail frontage. They are not standard or catalogue windows and doors. They comprise:

- a powder coated external aluminium arched window system with custom aluminium sections, made to the project architect's design;
- a fixed curved window with curved double glazed, laminated Grade A safety glass; and
- custom glazed double swing doors.

Each item is made to project-specific dimensions, profiles and finishes set by the architectural documentation for the development.

4. Submissions

4.1 Bespoke architectural products

Orwell requests that the Commission find that these bespoke, project-specific architectural windows and doors, including curved and arched units manufactured to an architect's custom design and profiles, are unlike those produced by the Australian industry.

Orwell requests that the Commission exclude these products from the description of the goods in its final report.

4.2 Exemption

If the Commission does not exclude these products, Orwell asks for an exemption for the Ground Floor goods. These goods are not standard stock items. They are a bespoke section, custom-fabricated for this project with rolled and curved profiles. Orwell has been unable to identify any Australian manufacturer that can produce sections of this profile and specification. An exemption is available where like or directly competitive goods are not offered for sale in Australia to all buyers on equal terms under like conditions. Because of the bespoke nature of these goods, Orwell submits that this test is met and therefore, to recommend an exemption under sections 8(7)(a) and 10(8)(a) of the Customs Tariff (Anti-Dumping) Act 1975.

4.3 Contracts entered into before the securities

The securities were imposed part way through construction of the project. At the time Orwell priced and executed its supply agreement with its Chinese supplier, it was not possible to determine whether securities would be imposed or, if so, at what rate.

Further, Orwell's head contract for the project is a fixed-price contract, executed before this investigation was initiated. Details of Orwell's contractual position can be provided upon request.
The securities impose significant commercial pressure on Orwell and on the delivery of the project.

The securities represent an additional cost of up to 73.3% of the export price of the affected goods, which was not allowed for in the project's contract pricing. Orwell respectfully requests that the Commission have regard to the impact of the securities on builders with contracts already on foot in formulating its final recommendation to the Minister.

4.4 Rate applicable to Orwell's supplier

Orwell understands that its supplier has engaged legal representatives in relation to the rate applicable to its exports. Orwell supports any request by its supplier for an individual or residual rate.

The "All Other Exporters" rate of 73.3% is the highest rate in the preliminary findings. It is three times the residual exporter rate of 24.4%.

5. Summary of requests

Orwell requests that the Commission:

1. consider that these bespoke architectural windows and doors are unlike goods to those produced by the Australian industry and recommend their exclusion from the description of the goods;
2. in the alternative, examine and recommend an exemption for the Ground Floor goods under sections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975*;
3. have regard to the impact of the securities on builders with fixed-price contracts already on foot; and
4. consider any request by Orwell's supplier for an individual or residual rate.

6. Confidentiality

This is the non-confidential version of Orwell's submission, for the public record. Upon request, a confidential version containing commercially sensitive information about Orwell's contractual arrangements can be provided to the Commission.

Orwell would welcome the opportunity to provide further information. Please contact the undersigned with any queries.

Yours faithfully,



Leo Walls
PROJECT COORDINATOR
ORWELL CONSTRUCTIONS PTY LTD