



Consultation submission form

TEMPERATURE LIMITED WATER HEATERS

## Proposed modification to the referencing of AS 3498 in G12/AS1

# How to submit this form

## This form is used to provide feedback on proposals found within the Temperature limited water heaters – Proposed modification to the referencing of AS 3498 in Acceptable Solution G12/AS1 consultation document.

When completing this submission form, please provide comments and reasons explaining your choices. Your feedback provides valuable information and informs decisions about the proposals.

You can submit this form **by 5pm,** **Monday, 2 September 2024** by:

* Email to: [buildingfeedback@mbie.govt.nz](mailto:buildingfeedback@mbie.govt.nz), with subject line **‘Building Code consultation - Temperature limited water heaters’**
* Post to:

**Building Code consultation - Temperature limited water heaters**

Building System Performance  
Ministry of Business, Innovation and Employment  
PO Box 1473  
Wellington 6140

Your feedback will contribute to further development of the Building Code. It will also become official information, which means it may be requested under the Official Information Act 1982 (OIA).

The OIA specifies that information is to be made available upon request unless there are sufficient grounds for withholding it. If we receive a request, we cannot guarantee that feedback you provide us will not be made public. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

# Submitter information

MBIE would appreciate if you would provide some information about yourself. If you choose to provide information in the “About you” section below it will be used to help MBIE understand the impact of our proposals on different occupational groups. Any information you provide will be stored securely.

1. About you

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| Name: |  |

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| Email address: |  |

1. Are you happy for MBIE to contact you if we have questions about your submission?

Yes  No

1. Are you making this submission on behalf of a business or organisation?

☐ Yes ☐ No

If yes, please tell us the title of your company/organisation:

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1. The best way to describe your role is:

Architect  Engineer (please specify below)

BCA/Building Consent Officer  Residential building owner

Builder or tradesperson (please specify below)  Commercial building owner

Building product manufacturer or supplier  Other (please specify below)

(please specify the type of product below)

Designer (please specify below)  Prefer not to say

Please specify here:

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1. Privacy information

The Privacy Act 2020 applies to submissions. Please check the box if you do not wish your name or other personal information to be included in any information about submissions that MBIE may publish.

MBIE may upload submissions, or a summary of submissions, received to MBIE’s website at [www.mbie.govt.nz](http://www.mbie.govt.nz). If you do not want your submission or a summary of your submission to be placed on our website, please check the box and type an explanation below:

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| *I do not want my submission placed on MBIE’s website because… [insert reasoning here]* |

1. Confidential information

I would like my submission (or identifiable parts of my submission) to be kept confidential and have stated my reasons and ground under section 9 of the Official Information Act that I believe apply, for consideration by MBIE.

If you have checked this box, please tell us what parts of your submission are to be kept confidential.

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# Temperature limited water heaters

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| In May and June of 2022, MBIE consulted on proposed changes to improve the safety and reliability of new plumbing systems.[[1]](#footnote-1) The consultation submissions we received informed the decision to proceed with the proposed changes to reduce the risk of scalding injuries from hot water.  On 2 November 2023, MBIE reduced the maximum hot water temperature allowed by Acceptable Solution G12/AS1 for sanitary fixtures used for personal hygiene in most buildings from 55°C to 50°C at the outlet. This change is intended to reduce the risk of scalding injuries from hot water. There is a 12-month transition period for this change, ending on 1 November 2024.  As part of this change, additional acceptable hot water delivery temperature control devices and product standards were introduced into G12/AS1 in Tables 8A and 8B.  In G12/AS1 Table 8B, instantaneous (continuous flow) TLWHs that meet AS 3498:2020 *Safety and public health requirements for plumbing products - Water heaters and hot-water storage tanks*[[2]](#footnote-2) are listed as an acceptable temperature control device for limiting the water delivery temperature to a maximum of 50°C.  A temperature limited water heater (TLWH) is a water heater that limits the delivered hot water temperature at the outlet of any sanitary fixture used for personal hygiene supplied by the water heater, without the need for an additional temperature control device.  MBIE has heard from some manufacturers and suppliers that a sub-clause within AS 3498 limits flexibility for how certain ranges of instantaneous (continuous flow) water heaters available on the New Zealand market can be used. This issue has been compounded by some suppliers holding high stock levels of these products.  MBIE are now proposing to modify the G12/AS1 Table 8B reference to AS 3498 to exclude sub-clause 7.3.2.1(a) of this standard. This sub-clause limits the maximum temperature adjustment for a TLWH.  This change would mean that a temperature limited water heater set to deliver water that does not exceed 50°C could be subsequently adjusted by an authorised installer to deliver water above 50°C, if required.  In these situations, the authorised installer (e.g., licenced plumber) would be responsible for providing additional temperature control device(s) as needed to ensure the maximum temperature of hot water delivered at the outlets of sanitary fixtures used for personal hygiene does not exceed 50°C.  It is proposed that this change would come into effect on 2 November 2024, with no transition period. |

## **Questions for the consultation**

1. Do you support amending Acceptable Solution G12/AS1 Table 8B to modify the hot water delivery temperature control device provision for instantaneous (continuous flow) temperature limited water heaters (TLWH) to exclude sub-clause 7.3.2.1(a) from the citation of AS 3498?

This would mean that a TLWH set to deliver water that does not exceed 50°C could be subsequently adjusted by an authorised installer to deliver water above 50°C, if required.

Yes, I support it  No, I don’t support it  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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1. What impacts would you expect for you or your business from the proposed changes?

These impacts may be economic/financial, environmental, health and wellbeing-related, or other areas.

Is there anything you would like to tell us about the reason(s) for your choice?

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1. Do you agree with this change taking effect on 2 November 2024, with no transition period?

Yes, I agree  No, I don’t agree  Not sure/no preference

Is there anything you would like to tell us about the reason(s) for your choice?

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# Thank you

Thanks for your feedback, we really appreciate your insight. It helps us keep pace with modern construction methods, the needs of New Zealanders and ensures people are safe and healthy, living in durable homes and buildings.

To help us continue to improve the Building Code documents, we would appreciate any suggestions or comments you may have on what is working and how we can do better.

Please leave your feedback here:

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1. <https://www.mbie.govt.nz/dmsdocument/20115-consultation-document-building-code-update-2022-plumbing-and-drainage> [↑](#footnote-ref-1)
2. [AS 3498:2020 *Safety and public health requirements for plumbing products - Water heaters and hot-water storage tanks*](https://store.standards.org.au/product/as-3498-2020) [↑](#footnote-ref-2)