



**Hamilton City Council – Staff Feedback**

**Temperature Limited Water Heaters  
– Proposed Modification to the  
Referencing of AS 3498 in G12/AS1  
Consultation Document**

**Ministry of Business, Innovation and  
Employment**



**2 September 2024**



**Hamilton  
City Council**  
Te kaunihera o Kirikiriroa

# Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this staff feedback is aligned to the priority **A green city**.

## Council Approval and Reference

This staff feedback was approved by Hamilton City Council's Chief Executive on 2 September 2024.

Feedback # 772

It should be noted that the following feedback is from staff at Hamilton City Council and does not therefore necessarily represent the views of the Council itself.

## Introduction

1. Hamilton City Council staff would like to thank the Ministry of Business, Innovation and Employment for the opportunity to provide feedback on **Temperature Limited Water Heaters – Proposed Modification to the Referencing of AS 3498 in Acceptable Solution G12/AS1 Consultation Document**.
2. The response/feedback from Hamilton City Council staff is outlined in the Ministry of Business, Innovation and Employment's official submission form – copy attached.

## Further Information and Opportunity to Discuss Our Feedback

3. Should the Ministry of Business, Innovation and Employment require clarification of the feedback from Hamilton City Council staff, or additional information, please contact **Alister Arcus** (Principal Building Advisor – Building Control Unit) on **07 838 6881** or email [alister.arcus@hcc.govt.nz](mailto:alister.arcus@hcc.govt.nz) in the first instance.
4. Hamilton City Council representatives would welcome the opportunity to discuss the content of this feedback in more detail with the Ministry of Business, Innovation and Employment.

Yours faithfully



**Lance Vervoort**  
**CHIEF EXECUTIVE**

Hamilton City Council  
Garden Place, Private Bag 3010, Hamilton

 /HamiltonCityCouncil

 @hamiltoncitycouncil

 07 838 6699

**hamilton.govt.nz**

# 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.

**A. About you**

Name: Alister Arcus

Email address: alister.arcus@hcc.govt.nz

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

Yes  No

**C. 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:

Hamilton City Council

**D. The best way to describe your role is:**

- Architect
- BCA/Building Consent Officer
- Builder or tradesperson (please specify below)
- Building product manufacturer or supplier (please specify the type of product below)
- Designer (please specify below)
- Engineer (please specify below)
- Residential building owner
- Commercial building owner
- Other (please specify below)
- Prefer not to say

Please specify here:

**E. 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:

*I do not want my submission placed on MBIE's website because... [insert reasoning here]*

**F. 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.



# Temperature limited water heaters

In May and June of 2022, MBIE consulted on proposed changes to improve the safety and reliability of new plumbing systems.<sup>1</sup> 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*<sup>2</sup> 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?

<sup>1</sup> <https://www.mbie.govt.nz/dmsdocument/20115-consultation-document-building-code-update-2022-plumbing-and-drainage>

<sup>2</sup> [AS 3498:2020 Safety and public health requirements for plumbing products - Water heaters and hot-water storage tanks](#)

These devices are installed by registered Plumbers, who work to a code of ethics. If under a building consent, these installations will be inspected by the Plumbing Inspector. One of their inspection items is to measure the temperature at the outlet, to ensure compliance with the Building Code document G12.

Hamilton City Council's inspectorate is of the view that this is a low-risk change and therefore support this proposal.

**2. 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?

Minimal impact to our business.

**3. 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?

# 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:

