

# Climate Change Bill

## Comments from C40 Member cities

**PCC Public Hearing | 15 May 2023**

Sello Mphaga, Divisional Head: City Sustainability  
City of Tshwane



# Why cities matter?



Cities play an important role in delivering the ambition set out in the Paris agreement and are imperative for a just transition

- Cities contribute **70% to global GHG emissions**
- Cities are also **especially vulnerable** to the impacts of climate change
- **55% of the global population live in cities** and this is expected to increase to 68% by 2050
- Cities are **vital economic and financial centres**, accounting for more than 80% of global GDP
- **Cities have the mandate** to undertake action in the majority of climate response areas

## 5 SA cities in numbers:

- 19%** Contribution to national GHG emissions
- 50%** of national road transport emissions
- 36%** of South Africa's population
- 51%** of South Africa's GVA
- 57%** Increase in storms, floods and other weather related disasters over the past 20 years

**If left unchecked cities are vulnerable to severe climate impacts and lock in of high energy demands and infrastructure.**

# Background



- C40 member city engagement on the Bill dates back to 2018.
- This presentation will cover the **key recommendations** raised by South Africa's 5 largest metropolitan cities - **Cape Town, Durban, Ekurhuleni, Johannesburg and Tshwane** - including key comments which were raised by cities in 2018 that remain outstanding.



# Key recommendations



- 1 Address the **resource and capacity constraints** to action the Bill
- 2 Illustrate **strong ambition and recognise the urgency of climate response** by using the term carbon neutral, instead of low carbon
- 3 Recognise the applicability of the **Municipal Forums on Climate Change** for metropolitan municipalities
- 4 Strengthen the **reporting structure** between local government, provincial government and national government to ensure **effective alignment and co-ordination across the three spheres**
- 5 Provide clarity on the **responsibility, accountability and implementing structure** at a national level
- 6 Include **local government representation** in the **Presidential Climate Commission**

# Key recommendations (continued)



- 7** Incorporate **existing work done by metropolitan municipalities** on climate action such as climate action plans, climate risk and vulnerability assessments and greenhouse gas (GHG) inventories
- 8** Recognise the **role of metropolitan municipalities in climate mitigation** to enable scaling up these efforts
- 9** Include reference to a platform for **information sharing across all spheres of government, private sector, academia and civil society**
- 10** Support the **integration of just transition into local plans, processes and existing municipal structures**
- 11** Include and recognise the **role of research institutions** in responding to climate change

# 1 | Address the resource and capacity constraints to action the Bill



## Rationale

**The Bill is silent on the provision of resources and capacity to implement the actions required by the Bill.** Local governments have limited capacity and resources to implement the actions from the Bill. There are no specific budgets allocated to climate change work in municipalities.

## Section and page number

n/a

## Current text

n/a

## Proposed recommendation

- Include text in the Bill which **unpacks how government plans to address the resource and capacity constraints**
- It is suggested that the government consider the establishment of a **climate change action grant fund** that can be accessed by municipalities and other public entities, and also establish a new **“Working for Climate”** programme, similar to the existing “Working for Water” and other similar programmes.

## 2 | Illustrate strong ambition and recognise the urgency of climate response by using the term carbon neutral, instead of low carbon



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| <b>Rationale</b>               | <b>Low carbon is used throughout the document</b> , which is not defined and does not illustrate the level of ambition required to limit temperature increase in line with the Paris Agreement. |
| <b>Section and page number</b> | n/a   |
| <b>Current text</b>            | Low carbon  |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li><b>Replace low carbon with carbon neutral through the Bill, where it is used in the context of long term commitments of 2050 and beyond</b></li></ul>     |

# 3 | Recognise the applicability of the Municipal Forums on Climate Change for metropolitan municipalities



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| <b>Rationale</b>               | <p><b>The Bill does not require metropolitan municipalities to establish climate change forums.</b></p> <p>This is a significant gap as cities have a very significant role to play in addressing climate change, and are also highly impacted by climate change.</p>  |
| <b>Section and page number</b> | Section 9, page 9  |
| <b>Current text</b>            | <p>(1) Every district intergovernmental forum, established in terms of section 24 of the Intergovernmental Relations Framework Act, also serves as a Municipal Forum on Climate Change.</p> <p>(2) Sections 25 and 27 of the Intergovernmental Relations Framework Act apply to a Municipal Forum on Climate Change.</p> |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>The section should be amended in order to <b>establish a suitable structure or approach that includes metropolitan municipalities.</b></li></ul>   |

# 4 | Strengthen the reporting structure between the three spheres of government



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| <b>Rationale</b>               | While it is clear that Municipal Forums on Climate Change will report to the Provincial Forum on Climate Change, <b>it is unclear how the provincial forum will report to national government.</b>   |
| <b>Section and page number</b> | Section 8, page 8  |
| <b>Current text</b>            | (3) A Provincial Forum on Climate Change must—<br>(a) coordinate climate change response actions in the relevant province in accordance with this Act; and<br>(b) provide a report to the President’s Coordinating Council in terms of section 20(a) of the Intergovernmental Relations Framework Act, which report must include climate change considerations.                        |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>• Provide clarity on the <b>reporting structure</b> between local government, provincial government and national government</li><li>• Provide clarity on the <b>role of the President’s Coordinating Council</b> in climate change response</li><li>• Ensure <b>local government representation in relevant decision-making forums</b></li></ul> |

# 5 | Provide clarity on the responsibility, accountability and implementing structure at national level



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| <b>Rationale</b>               | It is <b>unclear from the Bill who holds the powers to coordinate and implement climate change response and action at national level.</b>  |
| <b>Section and page number</b> | Section 8, 9 & 10  |
| <b>Current text</b>            | n/a  |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>Establishment of an <b>implementing / decision-making body or forum at national level which is made up of all relevant national departments, including representation from provincial, local government, civil society and business.</b></li></ul> |

# 6 | Include local government representation in the Presidential Climate Commission



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| <b>Rationale</b>               | The Bill <b>does not make provision for local government to be represented on the Presidential Climate Commission</b> , despite the critical role it plays.  |
| <b>Section and page number</b> | Section 10, page 9   |
| <b>Current text</b>            | 10. (1) The President may establish a Presidential Climate Commission and appoint not more than 30 members comprising representatives of government, organised labour, civil society and business to advise on the Republic’s climate change response, the mitigation of climate change impacts and adaptation to the effects of climate change towards the attainment of the just transition to a low-carbon and climate-resilient economy and society. |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>• <b>Appoint a local government representative who is well versed in climate change to serve on the Presidential Climate Commission.</b></li></ul>   |

# 7 | Incorporate existing work done by metropolitan municipalities on climate action



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| <b>Rationale</b>               | Acknowledge and recognise that <b>some municipalities have already conducted a needs and response assessment and have already adopted climate change response implementation plans</b> and should specify that those assessments and plans would fulfil the requirements of this section.   |
| <b>Section and page number</b> | Section 15, page 10   |
| <b>Current text</b>            | 15. (1) An MEC and a mayor of a metropolitan or district municipality, as the case may be, must—<br>(a) within one year of the publication of the National Adaptation Strategy and Plan contemplated in section 18, undertake a climate change needs and response assessment for the province, metropolitan or district municipality, as the case may be;                     |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>• Recognises that some municipalities have already conducted a needs and response assessment and have already adopted climate change response implementation plans.</li><li>• <b>Provide clarity and certainty on whether the climate change response implementation plans would fulfil the requirements of this section.</b></li></ul> |

# 8 | Recognise the role of metropolitan municipalities in climate mitigation



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| <b>Rationale</b>               | The Bill specifies that the response plan should include both adaptation and mitigation measures and programmes, despite <b>not specifying that the needs and response assessment should include an assessment of GHG emissions or carbon footprint.</b>  |
| <b>Section and page number</b> | Section 15, page 10<br>Chapter 5, page 13   |
| <b>Current text</b>            | n/a   |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>• The Climate Change Needs and Response Assessment should be inclusive of both impacts of climate change (<b>Climate Risk and Vulnerability Assessment</b>) and contribution to the climate change (<b>GHG emissions inventory</b>).</li><li>• Similarly, a Climate Change Response Plan should be inclusive of <b>adaptation and mitigation measures</b> (climate actions) ensuring an integrated, holistic and seamless approach to climate change.</li><li>• Climate change adaptation and mitigation should be approached <b>holistically and in an integrated manner</b> where possible.</li></ul> |

# 9 | Include reference to a platform for information sharing across all spheres of government, private sector and civil society



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| <b>Rationale</b>               | The Bill does not address the need for <b>cost free and open data sharing between various spheres of government, government entities, state owned enterprises, and the private sector</b> in order to effectively enable planning for and implementation of adaptation and mitigation actions. Data required for this purpose includes, but is not limited to: historical weather data, remote sensing data, and electricity and liquid fuels production and consumption data. |
| <b>Section and page number</b> | n/a  |
| <b>Current text</b>            | n/a  |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>• Consider including in Chapter 6. Suggested text:</li><li>• ‘The Minister may coordinate across relevant departments and institutions to support the provision of relevant climate-related data to inform effective planning across all spheres of government, based on the best available science and data’</li></ul>  |

# 10 | Support the integration of just transition into local plans, processes and existing municipal structures



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| <b>Rationale</b>               | In recognition of the importance of <b>localising just transition planning and ensuring that the voices of local stakeholders are embedded in local and national plans, the need for financial and technical support to integrate just transition into local plans, processes and existing municipal structures should be acknowledged.</b> |
| <b>Section and page number</b> | n/a   |
| <b>Current text</b>            | n/a   |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>Support the <b>integration of just transition principles and initiatives into local plans, processes and existing municipal structures to help advance a just transition at a local level.</b></li></ul>  |

# 11 | Include and recognise the role of research institutions in responding to climate change.



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| <b>Rationale</b>               | <p>Ensuring effective climate change response across the country would require a <b>strong evidence base, data and the latest science</b>. This also requires significant resources for local and provincial governments.</p> <p><b>Research institutions can play a major role in providing this function in a coordinated way that is centralised (and perhaps funded) by the national government.</b> The Bill mentions research once, and there is no clarity on how research institutions can play a role.</p> |
| <b>Section and page number</b> | n/a   |
| <b>Current text</b>            | n/a   |
| <b>Proposed recommendation</b> | <ul style="list-style-type: none"><li>Consider including in Chapter 6: <b>“Role of research institutions: The Minister may coordinate across research institutions to ensure climate change response across the country is informed by the latest research and science.”</b></li></ul>  |

# Conclusion



- Cities welcome the opportunity to provide inputs to the Climate Change Bill which certainly marks a step in the right direction.
- As per the recommendations put forward, **there are significant gaps which need to be addressed in the Climate Change Bill.** These gaps range from resourcing and capacity, to intergovernmental relations, a need to focus on mitigation & address climate change in an integrated manner and the need to recognise the work that cities are already doing.
- Lastly, it is critical for **the perspectives of local government to be reflected in all key national documents** including but not limited to the Bill, the Integrated Resource Plan, the Nationally Determined Contributions and the National Development Plan.

**We look forward to ongoing engagement!**



# Thank you!

Sello Mphaga

Divisional Head: City Sustainability

City of Tshwane

[SelloMp@tshwane.gov.za](mailto:SelloMp@tshwane.gov.za)

Zarina Moolla

Head: Climate Action Implementation Africa

C40 Cities

[zmoolla@c40.org](mailto:zmoolla@c40.org)

# Questions and discussion

