

**Commentary on whether the Government of Manitoba *Sustainable Development Act* promotes an integrated and comprehensive approach to sustainability assessment.**

By

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## 1 Introduction

The purpose of this document is to provide an initial commentary on the extent to which the Government of Manitoba's *Sustainable Development Act* (Manitoba 1998) requires an integrated and comprehensive approach to sustainability assessment. In order to do so, this document focuses on both the procedural elements by which a sustainability assessment should be undertaken as well as the substantive requirements for progress towards sustainability that must be integrated in decision making.

At its most basic, sustainability assessment is as an approach for potential use in most deliberations that involve identifying and evaluating possible responses to significant concerns and opportunities, or re-examining options that have been adopted and implemented (Devuyst 1999; Pope et al. 2004; Gibson et al. 2005; Sheate et al. 2008).. Sustainability assessment tries to take into account the full range of significant factors and their interrelations, and looks well ahead – aiming for long term progress towards futures that are more desirable and more secure, socially and ecologically.

For the purpose of assessing the *Sustainable Development Act*, this commentary will compare the Act to Gibson's framework for sustainability assessment (Gibson et al. 2005; Gibson 2006). There are several benefits for using Gibson's framework for such a comparison. First, Gibson's framework is recognized and applied worldwide as a relevant approach to sustainability assessment (e.g. Pope et al. 2004). Second, Gibson's framework has been heavily informed by Canadian environmental assessment practice, and has been applied previously by both proponents, experts, and joint review panels in a Canadian context (e.g. for the Mackenzie Valley Gas Project Review) (Gibson 2006; OPA 2006; Gibson et al. 2008). Ultimately, if the Act is in agreement with Gibson's framework for sustainability assessment, then it is reasonable to argue that the Act demands a sustainability assessment approach to planning and decision making on major undertakings, insofar as all the basic characteristics of sustainability assessment – both in terms of substance and process – are required.

The outline of this commentary is as follows. First, a basic introduction to sustainability assessment in general is provided. Second, Gibson's framework is briefly discussed and the substantive components of Gibson's framework – namely the eight categories of progress towards sustainability – are compared with the Principles of and Guidelines for sustainable development as set forth in the Act. This represents the bulk of the commentary. Third, the procedural components of Gibson's framework are briefly compared with the Principles of and Guidelines for sustainable development as set forth in the Act. Fourth, a preliminary conclusion is provided regarding the original question.

## 2 Basics of sustainability assessment

As previously noted, sustainability assessment is a term that encompasses a range of assessment approaches that are generally similar to broadly conceived strategic environmental assessment though they may also be applied at the project level (Devuyst 1999; Pope et al. 2004; Gibson et al. 2005; Sheate et al. 2008).

Basic approaches to sustainability assessment (sometimes called integrated assessment, sustainability appraisal, triple-bottom-line evaluation, etc.) have been applied in Canadian contexts for several years. For example, sustainability-based environmental assessment reviews have been undertaken by several joint review panels under federal and provincial or territorial and in some cases Aboriginal authority. The first panel review in Canada that applied explicitly sustainability-centred evaluation criteria was the assessment of the Voisey's Bay nickel mine and mill project on the north Labrador coast (Gibson 2002). A more recent high profile example is the Mackenzie Gas Project case (JRP 2009). These reviews relied in part on the text of the *Canadian Environmental Assessment Act*, which includes promotion of sustainable development as one of its statutory purposes (CEAA 2012, s.4(1)(b), s.4(1)(h)). Sustainability assessment processes have also been applied in Hong Kong, Belgium, Namibia, Western Australia, South Africa, the European Union, and a host of other places (Devuyst 1999; Pope and Grace 2006).

Despite the wide variation in approaches taken and the limited experience so far, the common characteristics of serious attempts to do sustainability assessment are now evident enough. They are as follows (Gibson 2006):

- positive contribution to sustainability as the basic criterion for evaluations and decisions
- scope that is comprehensive of all requirements for progress towards sustainability, and their interrelations (and therefore includes all factors that may affect prospects for meeting these requirements),
- focus on net gains as well as avoidance of significant (especially, permanent) losses,
- selection of case-specific purposes informed by “contribution to sustainability” objective,
- focus on identifying the best option, achieved in part by comparative consideration of possibly reasonable alternatives,
- attention to the full set of global and regional as well as local sustainability concerns, achieved chiefly through application of generic criteria,
- sensitivity to the particular context (ecological, cultural, socio-economic, etc.), achieved in part through direct engagement of stakeholders in identifying key case-specific concerns and priorities, and using these to supplement and/or elaborate the generic criteria,
- efforts to achieve multiple, mutually reinforcing gains in all the interrelated areas of sustainability concern, in addition to serving core project purposes,
- explicit attention to, and open rationales for, trade-offs among the recognized objectives,

- contribution to sustainability through the assessment process itself as well as through the better decisions that result, achieved in part through incorporating open participative approaches, respecting different interests, and integrating different kinds of knowledge, and
- treatment of assessment as an approach to decision making (in the conceptualization, planning, design, evaluation, approval, implementation and monitoring and eventual decommissioning of undertakings), not just a review at a particular stage.

### 3 Gibson's generic sustainability evaluation and decision criteria

The core characteristics of sustainability-based assessment establish net gains as the basic objective. Ideally these involve multiple, mutually reinforcing and lasting benefits and avoidance of all potentially significant adverse effects. This begs questions, however, about what are the key benefits to be sought, and what adverse effects are especially to be avoided. Addressing this question requires the development of sustainability criteria.

Every important decision is based on a set of evaluation and decision criteria of some sort. The criteria may not be stated explicitly, and they may not be applied consistently throughout the process. But they are inevitably present and, for sustainability assessment, they should be both explicitly identified and consistently applied. The core evaluation and decision criteria must clarify how to pursue the general goal of contributing to sustainability, and they need to do so in ways that integrate

- considerations that are linked across the usual social, economic and ecological categories,
- universally-applicable imperatives and concerns specific to the case and context,
- issues and priorities interacting from the local to the global levels, and over time from the present to future generations, and
- attention to best options as well as improvements over base conditions.

The basic set of decision criteria used in this Commentary are Gibson's sustainability criteria (Gibson et al. 2005, ch. 5) which are shown in Table 1 below. Gibson's criteria represent a synthesis of the main requirements for progress towards sustainability presented in the literature and tested in practice in sustainability implementation initiatives (including early sustainability assessments) over the past decade two decades. These criteria can phrased and categorized in various ways, and in every application they should be specified for the particulars of case and context, but they should provide an adequate working foundation.

**Table 1 - Gibson's eight evaluative and decision criteria for sustainability**

<p><b>Socio-ecological system integrity</b></p> <p>Build human-ecological relations to establish and maintain the long-term integrity of socio-biophysical systems and protect the irreplaceable life support functions upon which human as well as ecological wellbeing depends.</p> <p><b>Livelihood sufficiency and opportunity</b></p> <p>Ensure that everyone and every community has enough for a decent life and that everyone has opportunities to seek improvements in ways that do not compromise future generations' possibilities for sufficiency and opportunity.</p> <p><b>Intragenerational equity</b></p> <p>Ensure that sufficiency and effective choices for all are pursued in ways that reduce dangerous gaps in sufficiency and opportunity (and health, security, social recognition, political influence, etc.) between the rich and the poor.</p>
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**Intergenerational equity**

Favour present options and actions that are most likely to preserve or enhance the opportunities and capabilities of future generations to live sustainably.

**Resource maintenance and efficiency**

Provide a larger base for ensuring sustainable livelihoods for all while reducing threats to the long term integrity of socio-ecological systems by reducing extractive damage, avoiding waste and cutting overall material and energy use per unit of benefit.

**Socio-ecological civility and democratic governance**

Build the capacity, motivation and habitual inclination of individuals, communities and other collective decision-making bodies to apply sustainability requirements through more open and better informed deliberations, greater attention to fostering reciprocal awareness and collective responsibility, and more integrated use of administrative, market, customary and personal decision making practices.

**Precaution and adaptation**

Respect uncertainty, avoid even poorly understood risks of serious or irreversible damage to the foundations for sustainability, plan to learn, design for surprise, and manage for adaptation.

**Immediate and long term integration**

Apply all principles of sustainability at once, seeking mutually supportive benefits and multiple gains.

The generic criteria above provide a basic framework that covers the key sustainability issues and their interconnections. Use of these as the basic framework should ensure that no big common issues are neglected. The next step is to add in the key considerations that are specific to the case and its particular context.

Sustainability assessments can draw from a variety of sources to identify the major case- and context-specific considerations. These include

- existing policy and planning documents that set out key concerns and priorities at the local, regional, territorial and/or national level,
- considerations that emerged in prior assessments or similar processes dealing with the same context,
- earlier deliberations on the case, especially involving the key stakeholders, and
- other sources of local and/or larger scale information that sheds light on how the various generic sustainability concerns are reflected in the circumstances and issues of the particular case and context.

Any proposed listing of these case- and context-specific considerations should be open to public discussion, review and adjustment. The objective is to identify the key sustainability-related questions raised by the project and its context. While many of these can be identified by informed observers and assisted by specialized experts, the importance of issues is also a matter of public preference and choice.

### 3.1 Substantive comparison of Gibson’s framework to the Act

It is now possible to compare the Principles of and Guidelines for sustainable development, as found in the Act, with Gibson’s evaluative and decision criteria. This comparison is shown in Table 2 below.

**Table 2 – Comparing the Act with Gibson’s criteria**

<p><b><i>Criterion</i></b></p> <p><b>Socio-ecological system integrity</b></p> <p>Build human-ecological relations to establish and maintain the long-term integrity of socio-biophysical systems and protect the irreplaceable life support functions upon which human as well as ecological wellbeing depends.</p> <p><b><i>Guidelines and principles</i></b></p> <p><b>Principle – Conservation and Enhancement (selected parts)</b></p> <p>Manitobans should</p> <ul style="list-style-type: none"><li>• “maintain the ecological processes, biological diversity and life-support systems of the environment”</li><li>• “enhance the long-term productive capability, quality and capacity of natural ecosystems.”</li></ul> <p><b>Principle - Rehabilitation and Reclamation (entire principle)</b></p> <p>“Manitobans should</p> <ul style="list-style-type: none"><li>• endeavour to repair damage to or degradation of the environment; and</li><li>• consider the need for rehabilitation and reclamation in future decisions and actions.”</li></ul> <p><b><i>Comment</i></b></p> <p>There is full overlap between the criterion and the guidelines and principles. Even the terminology is similar (e.g. life support functions and life-support systems). Furthermore, the language of the Act – in using the preface “Manitobans should” – indicates the relationship between Manitobans and their natural environment, which is consistent with Gibson’s use of the term “human-ecological relations”.</p>
<p><b><i>Criterion</i></b></p> <p><b>Livelihood sufficiency and opportunity</b></p> <p>Ensure that everyone and every community has enough for a decent life and that everyone has opportunities to seek improvements in ways that do not compromise future generations’ possibilities for sufficiency and opportunity.</p> <p><b><i>Guidelines and principles</i></b></p> <p><b>Principle - Shared Responsibility and Understanding (selected parts)</b></p> <ul style="list-style-type: none"><li>• “Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation.”</li><li>• “Manitobans should consider the aspirations, needs and views of the people of the various geographical regions and ethnic groups in Manitoba, including Aboriginal peoples, to facilitate equitable management of Manitoba’s common resources.”</li></ul> <p><b>Principle – Stewardship (selected parts)</b></p> <ul style="list-style-type: none"><li>• “The economy, the environment, human health and social well-being should be managed for the equal benefit of present and future generations.”</li></ul> <p><b><i>Comment</i></b></p> <p>There is basic overlap between the criterion and the guidelines and principles. Gibson’s criterion calls</p>

more explicitly for individual livelihood opportunities than do the principles and guidelines, which tend to focus on the broader term “the economy”. Other Acts may be more explicit about ensuring individual livelihood sufficiency and opportunity.

***Criterion***

**Intragenerational equity**

Ensure that sufficiency and effective choices for all are pursued in ways that reduce dangerous gaps in sufficiency and opportunity (and health, security, social recognition, political influence, etc.) between the rich and the poor.

***Guidelines and principles***

**Principle – Stewardship (selected parts)**

- “The economy, the environment, human health and social well-being should be managed for the equal benefit of present and future generations.”
- “Manitobans are caretakers of the economy, the environment, human health and social well-being for the benefit of present and future generations.”

**Principle - Shared Responsibility and Understanding (selected parts)**

- “Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation.”
- “Manitobans share a common economic, physical and social environment.”
- “Manitobans should consider the aspirations, needs and views of the people of the various geographical regions and ethnic groups in Manitoba, including Aboriginal peoples, to facilitate equitable management of Manitoba's common resources.”

**Principle - Global Responsibility (entire principle)**

- “Manitobans should think globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working cooperatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision-making while developing comprehensive and equitable solutions to problems.”

***Comment***

There is basic overlap between Gibson’s criterion of intragenerational equity and the principles found in the Act. Gibson’s criterion is more explicit about the gaps between the rich and the poor in terms of access to resources and opportunities. However, the principles of the Act focus on the fact that the economy, the environment and society are shared by all Manitobans, as well as globally. The principles also mention equity explicitly (e.g. “equitable management of Manitoba’s common resources”), which overlaps well with Gibson’s criterion.

***Criterion***

**Intergenerational equity**

Favour present options and actions that are most likely to preserve or enhance the opportunities and capabilities of future generations to live sustainably.

***Guidelines and principles***

**Principle – Stewardship (entire principle)**

- “The economy, the environment, human health and social well-being should be managed for the equal benefit of present and future generations.”
- “Manitobans are caretakers of the economy, the environment, human health and social well-being for the benefit of present and future generations.”
- “Today's decisions are to be balanced with tomorrow's effects.”

**Principle - Global Responsibility (entire principle)**



- “Manitobans should think globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working cooperatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision-making while developing comprehensive and equitable solutions to problems.”

**Guideline - Integrated Decision Making and Planning (entire guideline)**

- “Encouraging and facilitating decision making and planning processes that are efficient, timely, accountable and cross-sectoral and which incorporate an inter- generational perspective of future needs and consequences.”

**Comment**

There is substantive overlap between Gibson’s criterion and the principles and guidelines. This should come as no surprise given the oft-cited Brundtland definition of sustainable development as focusing on meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Criterion**

**Resource maintenance and efficiency**

Provide a larger base for ensuring sustainable livelihoods for all while reducing threats to the long term integrity of socio-ecological systems by reducing extractive damage, avoiding waste and cutting overall material and energy use per unit of benefit.

**Guidelines and principles**

**Principle - Conservation and Enhancement (entire principle)**

Manitobans should:

- “maintain the ecological processes, biological diversity and life-support systems of the environment”
- “harvest renewable resources on a sustainable yield basis; make wise and efficient use of renewable and non-renewable resources”
- “enhance the long-term productive capability, quality and capacity of natural ecosystems.”

**Guideline - Efficient Use of Resources (selected parts)**

- “Encouraging and facilitating development and application of systems for proper resource pricing, demand management and resource allocation together with incentives to encourage efficient use of resources”

**Guideline - Waste Minimization and Substitution (entire guideline)**

- “Encouraging and promoting the development and use of substitutes for scarce resources where such substitutes are both environmentally sound and economically viable”
- “Reducing, reusing, recycling and recovering the products of society.”

**Comment**

There is substantive overlap between Gibson’s criterion and the guidelines and principles. Both focus on reducing waste, increasing productivity, transitioning to renewable resources, recycling, reusing, etc. The principles and guidelines even help to elaborate what a commitment to resource maintenance and efficiency may entail.

**Criterion**

**Socio-ecological civility and democratic governance**

Build the capacity, motivation and habitual inclination of individuals, communities and other collective decision-making bodies to apply sustainability requirements through more open and better informed deliberations, greater attention to fostering reciprocal awareness and collective responsibility, and more integrated use of administrative, market, customary and personal decision making practices.

**Guidelines and principles**

**Integration of Environmental and Economic Decisions (entire principle)**

- “Economic decisions should adequately reflect environmental, human health and social effects.”
- “Environmental and health initiatives should adequately take into account economic, human health and social consequences.”

**Principle - Shared Responsibility and Understanding (selected parts)**

- “Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation.”
- “Manitobans should understand and respect differing economic and social views, values, traditions and aspirations.”
- “Manitobans should consider the aspirations, needs and views of the people of the various geographical regions and ethnic groups in Manitoba, including Aboriginal peoples, to facilitate equitable management of Manitoba's common resources.”

**Guideline - Efficient Use of Resources (selected parts)**

- “Employing full-cost accounting to provide better information for decision makers.”

**Guideline - Public Participation (entire guideline)**

- “Establishing forums which encourage and provide opportunity for consultation and meaningful participation in decision-making processes by Manitobans”
- “Endeavouring to provide due process, prior notification and appropriate and timely redress for those adversely affected by decisions and actions”
- “Striving to achieve consensus amongst citizens with regard to decisions affecting them.”

**Guideline - Access to Information (entire guideline)**

- “Encouraging and facilitating the improvement and refinement of economic, environmental, human health and social information”
- “Promoting the opportunity for equal and timely access to information by all Manitobans.”

***Comment***

There is substantive overlap between Gibson’s criterion and the guidelines and principles. Both highlight the need for open and participatory decision making, as well as indicate the importance of individuals taking responsibility for decision and actions. It is noteworthy that the Act calls for full-cost accounting to aid decision-making. In many regards, the guidelines and principles help to elaborate what socio-ecological civility and democratic governance may mean in the Manitoba context.

***Criterion*****Precaution and adaptation**

Respect uncertainty, avoid even poorly understood risks of serious or irreversible damage to the foundations for sustainability, plan to learn, design for surprise, and manage for adaptation.

***Guidelines and principles*****Principle – Prevention (entire principle)**

- “Manitobans should anticipate, and prevent or mitigate, significant adverse economic, environmental, human health and social effects of decisions and actions, having particular careful regard to decisions whose impacts are not entirely certain but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.”

***Comment***

There is basic overlap between Gibson’s criterion and the principle of prevention. The only difference is that Gibson’s criterion is a little broader, favouring design for surprise and adaptive management, which are not referenced in the Act,. However, adaptive management is in increasingly well-recognized

concept including in resource management and environmental assessment practice, and therefore it is not unreasonable to assume adaptive management, when appropriate, would be promoted.

***Criterion***

**Immediate and long term integration**

Apply all principles of sustainability at once, seeking mutually supportive benefits and multiple gains.

***Guidelines and principles***

**Principle - Integration of Environmental and Economic Decisions (entire principle)**

- “Economic decisions should adequately reflect environmental, human health and social effects.”
- “Environmental and health initiatives should adequately take into account economic, human health and social consequences.”

**Principle - Global Responsibility (selected parts)**

- “Manitobans should think globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working cooperatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision-making while developing comprehensive and equitable solutions to problems.”

**Guideline - Integrated Decision Making and Planning (entire guideline)**

- “Encouraging and facilitating decision making and planning processes that are efficient, timely, accountable and cross-sectoral and which incorporate an inter-generational perspective of future needs and consequences.”

**Guideline - Research and Innovation (entire guideline)**

- “Encouraging and assisting the researching, development, application and sharing of knowledge and technologies which further our economic, environmental, human health and social well-being.”

***Comment***

There is substantive overlap between Gibson’s criterion and the principles and guidelines of the Act. The principles and guidelines even provide some elaboration of how the principles of sustainable development may be integrated both now and in the future, such as through promoting innovation and cross-sectoral decision-making, as well as cooperating both in Canada and beyond.

### **3.2 Comment on the substantive comparison**

As can be seen from Table 2 above, there is generally a substantive overlap between Gibson's evaluation and decision criteria for sustainability, and the principles and guidelines found in the Act. Furthermore, in many instances, the Act even serves to elaborate on what Gibson's criteria may mean in a Manitoba context, and in a manner that is complementary with and in the spirit of Gibson's criteria. The only discrepancy may be found in the criteria of "Livelihood sufficiency and opportunity", in which Gibson makes note of the importance of individual livelihood opportunities, whereas the principles and guidelines in the Act tend to discuss the economy as a whole. This does not represent a conflict, however, and it is likely that other Acts of the Government of Manitoba address the need for equitable opportunities for individuals.

In summary, when taken as a package, the principles and guidelines of the Act effectively call for the full suite of requirements for progress towards sustainability, when compared with a rigorous and comprehensive approach to sustainability assessment (i.e. Gibson's framework for sustainability assessment).

## 4 Sustainability assessment processes

For our purposes, the substantive concerns of sustainability assessment discussed above are what matters most. That said, there are some basic procedural considerations regarding sustainability assessment practice. These considerations help define the practice of sustainability assessment.

A basic set of five procedural elements of sustainability assessment is provided in Table 3 below. It is adapted from Gibson's framework.

**Table 3 - Basic procedural elements of sustainability assessment**

<p><b>Prioritizing contribution to sustainability</b> Establish contribution to sustainability as the main test of proposed purposes, options, designs and practices, and must put application of this test at the centre of decision-making, not as one advisory contribution among many</p> <p><b>Based on a set of evaluation and decision criteria and trade-off rules</b> Adopt evaluation and decision criteria and trade-off rules that reflect the full set of core requirements for progress towards sustainability, recognize interdependencies and seek multiple reinforcing gains on all fronts.</p> <p><b>Open and participatory</b> Provide means of specifying the sustainability decision criteria and trade-off rules for specific contexts, through informed choices by the relevant parties (stakeholders).</p> <p><b>Applied in all processes</b> Apply these insights in the full set of process elements, including identifying appropriate purposes and options for new or continuing undertakings; assessing purposes, options, impacts, mitigation and enhancement possibilities; choosing (or advising decision-makers on) what should or should not be approved and done, and under what conditions; and monitoring, learning from the results and making suitable adjustments through implementation to decommissioning or renewal.</p> <p><b>Transparent and accountable</b> Ensure that the deliberations and decisions are sufficiently open to scrutiny and participation, and sufficiently accountable in law, that an informed public can push effectively for proper application.</p>
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*Source: adapted from (Gibson 2006)*

The procedural elements shown in the table above will be compared with the expectations set out in the Act for the purpose of this commentary.

#### 4.1 Procedural comparison of Gibson’s framework to the Act

It is now possible to compare the Act, with Gibson’s requirements for proper practice. This comparison is shown in Table 4 below. In this instance, Gibson’s requirements will be compared to the principles and guidelines as well as the main body of the Act.

**Table 4 – Comparing the Act with Gibson’s requirements for proper practice**

<p><b><i>Requirement</i></b></p> <p><b>Prioritizing contribution to sustainability</b> Establish contribution to sustainability as the main test of proposed purposes, options, designs and practices, and must put application of this test at the centre of decision-making, not as one advisory contribution among many</p> <p><b><i>Guidelines and principles and main body</i></b></p> <p><b>Main Body - Purpose of Act (p. 4)</b></p> <ul style="list-style-type: none"><li>• “The purpose of this Act is to create a framework through which sustainable development will be implemented in the provincial public sector and promoted in private industry and in society generally.”</li></ul> <p><b>Principle - Integration of Environmental and Economic Decisions (entire principle)</b></p> <ul style="list-style-type: none"><li>• “Economic decisions should adequately reflect environmental, human health and social effects.”</li><li>• “Environmental and health initiatives should adequately take into account economic, human health and social consequences.”</li></ul> <p><b><i>Comment</i></b> There is basic overlap between Gibson’s requirement and the guidelines, principles and main body of the Act. As noted, the purpose of the Act is to create a framework for implementing sustainability development in the public sector and beyond. The full suite of principles and guidelines indicate the relevance of sustainable development to all facets of decision-making and the expectations for integration in planning and decision making imply a commitment to serving social, economic and biophysical objective together, rather than trading off between or among them. The Act taken as a whole also represents adoption of sustainable development (or contribution to sustainability) as the higher test for all decisions. Although the Act could have included more explicit language on these matters, the intent seems clear enough.</p>
<p><b><i>Requirement</i></b></p> <p><b>Based on a set of evaluation and decision criteria and trade-off rules</b> Adopt evaluation and decision criteria and trade-off rules that reflect the full set of core requirements for progress towards sustainability, recognize interdependencies and seek multiple reinforcing gains on all fronts.</p> <p><b><i>Guidelines and principles and main body</i></b></p> <p><b>Main Body - Provincial sustainability indicators established 9(1) (p. 11)</b></p> <ul style="list-style-type: none"><li>• “The minister shall cause sustainability indicators to be established within three years after the coming into force of this Act.”</li></ul> <p><b>Principle - Integration of Environmental and Economic Decisions (entire principle)</b></p> <ul style="list-style-type: none"><li>• “Economic decisions should adequately reflect environmental, human health and social effects.”</li><li>• “Environmental and health initiatives should adequately take into account economic, human</li></ul>

<p>health and social consequences.”</p> <p><b>Guideline - Integrated Decision Making and Planning (entire guideline)</b></p> <ul style="list-style-type: none"> <li>• “Encouraging and facilitating decision making and planning processes that are efficient, timely, accountable and cross-sectoral and which incorporate an inter- generational perspective of future needs and consequences.”</li> </ul> <p><b>Guideline - Efficient Use of Resources (selected parts)</b></p> <ul style="list-style-type: none"> <li>• “employing full-cost accounting to provide better information for decision makers.”</li> </ul> <p><i>Comment</i></p> <p>There is basic overlap between Gibson’s requirement and the guidelines and principles. Gibson’s requirement explicitly calls for a set of evaluation and decision criteria (such as those presented in Table 1 above). The guidelines, principles and main body implicitly demand such criteria, such as through requirements for full-cost accounting. Particularly, the use of indicators as required in the Act presupposes a set of criteria for which the indicators are representing. More explicit requirements for comprehensive criteria would have strengthened the Act, but at least implicitly, the Act supports application of Gibson’s requirement.</p>
<p><i>Requirement</i></p> <p><b>Open and participatory</b></p> <p>Provide means of specifying the sustainability decision criteria and trade-off rules for specific contexts, through informed choices by the relevant parties (stakeholders).</p> <p><i>Guidelines and principles and main body</i></p> <p><b>Principle - Shared Responsibility and Understanding (selected parts)</b></p> <ul style="list-style-type: none"> <li>• “Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation.”</li> </ul> <p><b>Guideline - Public Participation (entire guideline)</b></p> <ul style="list-style-type: none"> <li>• “Establishing forums which encourage and provide opportunity for consultation and meaningful participation in decision-making processes by Manitobans”</li> <li>• “Endeavouring to provide due process, prior notification and appropriate and timely redress for those adversely affected by decisions and actions”</li> <li>• “Striving to achieve consensus amongst citizens with regard to decisions affecting them.”</li> </ul> <p><b>Guideline - Access to Information (entire guideline)</b></p> <ul style="list-style-type: none"> <li>• “Encouraging and facilitating the improvement and refinement of economic, environmental, human health and social information”</li> <li>• “Promoting the opportunity for equal and timely access to information by all Manitobans.”</li> </ul> <p><i>Comment</i></p> <p>There is substantive overlap between Gibson’s requirement and the guidelines and principles of the Act. Both call for informed choices and open and participatory decision-making. Once again, Gibson’s requirement is more explicit about the specification and use of decision criteria and trade-off rules, which is something a future revision of the Act might usefully address. However, the use of specified criteria and trade-off rules is implicit the substance of the guidelines and principles.</p>
<p><i>Requirement</i></p> <p><b>Applied in all processes</b></p> <p>Apply these insights in the full set of process elements, including identifying appropriate purposes and options for new or continuing undertakings; assessing purposes, options, impacts, mitigation and enhancement possibilities; choosing (or advising decision-makers on) what</p>

should or should not be approved and done, and under what conditions; and monitoring, learning from the results and making suitable adjustments through implementation to decommissioning or renewal.

***Guidelines and principles and main body***

**Main Body - Purpose of Act (p. 4)**

- “The purpose of this Act is to create a framework through which sustainable development will be implemented in the provincial public sector and promoted in private industry and in society generally.”

**Principle - Integration of Environmental and Economic Decisions (entire principle)**

- “Economic decisions should adequately reflect environmental, human health and social effects.”
- “Environmental and health initiatives should adequately take into account economic, human health and social consequences.”

**Principle – Prevention (entire principle)**

- “Manitobans should anticipate, and prevent or mitigate, significant adverse economic, environmental, human health and social effects of decisions and actions, having particular careful regard to decisions whose impacts are not entirely certain but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.”

**Guideline - Integrated Decision Making and Planning (entire guideline)**

- “Encouraging and facilitating decision making and planning processes that are efficient, timely, accountable and cross-sectoral and which incorporate an inter- generational perspective of future needs and consequences.”

***Comment***

There is basic overlap between Gibson’s requirements and the principles, guidelines and main body of the Act. Gibson’s requirements are more explicit about the need for sustainable development to be an integral part of all plans and processes at all stages. The Act is more general, referring to integrated decisions, but not specifying explicit stages. However, the main body of the Act refers to the need to create a framework for sustainable development in the public sector and more broadly without any mention of limits to application.

***Requirement***

**Transparent and accountable**

Ensure that the deliberations and decisions are sufficiently open to scrutiny and participation, and sufficiently accountable in law, that an informed public can push effectively for proper application.

***Guidelines and principles and main body***

**Guideline - Public Participation (entire guideline)**

- “Establishing forums which encourage and provide opportunity for consultation and meaningful participation in decision-making processes by Manitobans”
- “Endeavouring to provide due process, prior notification and appropriate and timely redress for those adversely affected by decisions and actions”
- “Striving to achieve consensus amongst citizens with regard to decisions affecting them.”

**Guideline - Access to Information (entire guideline)**

- “Encouraging and facilitating the improvement and refinement of economic, environmental, human health and social information”
- “Promoting the opportunity for equal and timely access to information by all Manitobans.”



**Guideline - Integrated Decision Making and Planning (entire guideline)**

- “Encouraging and facilitating decision making and planning processes that are efficient, timely, accountable and cross-sectoral and which incorporate an inter-generational perspective of future needs and consequences.”

***Comment***

There is substantive overlap between Gibson’s requirement and the principles, guidelines and body of the Act. Both call for public participation and accountability. The principles, guidelines and body of the Act even serve to elaborate on Gibson’s requirement in the Manitoba context.

#### **4.2 Comment on the procedural comparison**

In general there is strong overlap between Gibson's requirements for proper process and the principles, guidelines and main body of the Act. Where the two differ is primarily in Gibson's explicit call for a clear set of evaluative and decision criteria and trade-off rules that are specified for the context. While such criteria and rules are not explicitly mentioned in the Act, it is reasonable to argue that they are implicitly required for various reasons. First, as noted in Table 4, the Act requires a set of sustainability indicators, and indicators must be matched with criteria insofar as indicators help measure progress towards desirable outcomes (or away from undesirable outcomes) and the specification and application of properly comprehensive criteria are effectively needed to move towards the desirable outcomes (and away from the undesirable ones). Likewise, with regards to specified trade-off rules, while such a requirement may not be explicitly called for in the Act, the commitments to integration and full-cost accounting, for example, implicitly include attention to trade-offs. Furthermore, it should be noted that making trade-offs in an transparent and accountable manner is a basic requirements of a democratic society, and is supported by the Act's commitments to openness and informed participation as well as by the provisions of various other Acts not specifically related to sustainable development.

## **5 Conclusion – On the relationship between the Act and sustainability assessment**

This commentary set out to explore the relationship and overlap between Manitoba's *Sustainable Development Act* (the Act) and the application of a sustainability assessment framework. By comparing the principles, guidelines and main body of the Act with Gibson's framework for sustainable development, a number of closing remarks can be made.

First, it is clear that there is effectively complete overlap in the substantive requirements for sustainable development between Gibson's evaluative and decision criteria and the principles and guidelines as set forth in the Act. For this reason, it is fair to say that the Act effectively supports application of the full suite of requirements for progress towards sustainability. When understood as a package, the Act is demanding and rigorous with regards to sustainable development.

Second, it is clear there is strong overlap in the procedural elements of Gibson's framework for sustainability assessment and the principles, guidelines and main body of the Act. Gibson's framework is more explicit in its demands for specified evaluative and decision criteria and trade-off rules. Likewise, Gibson's framework explicitly states that contribution to sustainability should be prioritized as the overarching goal, and applied at all stages of decision making and planning. The Act is less explicit in this regard, although it does require a higher test, and the very nature and passing of the Act implies that contribution to sustainability is now recognized as being of principal importance. Likewise, the intent of the Act to ensure the long-term sustainability of Manitoba and its citizens is evidence that sustainability is a long-term and overarching goal of the government (as it should be).

Finally, implicit in this commentary is the proposal that Manitoba should adopt an explicit framework for sustainability assessment, be it Gibson's or otherwise. Since both the substantive and procedural requirements of sustainability assessment are already consistent with what is established in the Act, adoption of a more explicit and more fully elaborated framework for sustainability assessment would be a useful next step in clarifying expectations and facilitating implementation. However, even if no framework is adopted, it is clear that the requirements set forth in the Act are consistent those of a sustainability framework, and therefore the end result in terms of substance and process should be the same.

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## **Appendix 1 – Principles and guidelines from the *Sustainable Development Act***

### **Principles of sustainable development**

The following are principles of sustainable development emerging from the *Sustainable Development Act* set out by the Province of Manitoba in 1998 (Manitoba 1998).

#### **Integration of Environmental and Economic Decisions:**

- Economic decisions should adequately reflect environmental, human health and social effects.
- Environmental and health initiatives should adequately take into account economic, human health and social consequences.

#### **Stewardship:**

- The economy, the environment, human health and social well-being should be managed for the equal benefit of present and future generations.
- Manitobans are caretakers of the economy, the environment, human health and social well-being for the benefit of present and future generations.
- Today's decisions are to be balanced with tomorrow's effects.

#### **Shared Responsibility and Understanding:**

- Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation.
- Manitobans share a common economic, physical and social environment.
- Manitobans should understand and respect differing economic and social views, values, traditions and aspirations.
- Manitobans should consider the aspirations, needs and views of the people of the various geographical regions and ethnic groups in Manitoba, including Aboriginal peoples, to facilitate equitable management of Manitoba's common resources.

#### **Prevention:**

- Manitobans should anticipate, and prevent or mitigate, significant adverse economic, environmental, human health and social effects of decisions and actions, having particular careful regard to decisions whose impacts are not entirely certain but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.

#### **Conservation and Enhancement:**

- Manitobans should:
  - Maintain the ecological processes, biological diversity and life-support systems of the environment;
  - harvest renewable resources on a sustainable yield basis; make wise and efficient use of renewable and non-renewable resources; and
  - enhance the long-term productive capability, quality and capacity of natural ecosystems.

#### **Rehabilitation and Reclamation:**

- Manitobans should:
  - Endeavour to repair damage to or degradation of the environment; and
  - consider the need for rehabilitation and reclamation in future decisions and actions.

#### **Global Responsibility:**

- Manitobans should think globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working cooperatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision-making while developing comprehensive and equitable solutions to problems.

### **Guidelines for sustainable development**

The following are guidelines of sustainable development emerging from the Government of Manitoba's principles and guidelines of sustainable development (Manitoba Conservation n.d.).

#### **Efficient Use of Resources:**

- Encouraging and facilitating development and application of systems for proper resource pricing, demand management and resource allocation together with incentives to encourage efficient use of resources; and
- employing full-cost accounting to provide better information for decision makers.

#### **Public Participation:**

- Establishing forums which encourage and provide opportunity for consultation and meaningful participation in decision-making processes by Manitobans;
- Endeavouring to provide due process, prior notification and appropriate and timely redress for those adversely affected by decisions and actions; and
- Striving to achieve consensus amongst citizens with regard to decisions affecting them.

#### **Access to Information:**

- Encouraging and facilitating the improvement and refinement of economic, environmental, human health and social information; and
- Promoting the opportunity for equal and timely access to information by all Manitobans.

#### **Integrated Decision Making and Planning:**

- Encouraging and facilitating decision making and planning processes that are efficient, timely, accountable and cross-sectoral and which incorporate an inter- generational perspective of future needs and consequences.

#### **Waste Minimization and Substitution:**

- Encouraging and promoting the development and use of substitutes for scarce resources where such substitutes are both environmentally sound and economically viable; and
- Reducing, reusing, recycling and recovering the products of society.

#### **Research and Innovation:**

- Encouraging and assisting the researching, development, application and sharing of knowledge and technologies which further our economic, environmental, human health and social well-being.