

No.2785/QĐ-UBND

*Quang Binh, dated October 13<sup>th</sup>, 2022*

**APPROVAL DECISION OF INVESTMENT POLICY**  
(Firstly issued dated October 13<sup>th</sup>, 2022)

**QUANG BINH PROVINCIAL PEOPLE'S COMMITTEE**

*Pursuant to the Law on Local authority Organization dated June 19<sup>th</sup>, 2015;  
Pursuant to the Law amending and supplementing some articles of the Law on  
Governmental organization and the Law on local authority organization dated  
November 22<sup>nd</sup>, 2019;*

*Pursuant to the Law on Investment dated June 17<sup>th</sup>, 2020;*

*Pursuant to the Law amending and supplementing some articles of the Law  
on Public Investment, Public-Private Partnership Investment Law, the Law on  
Investment, the Law on Housing, Bidding law, Electricity Law, Law on  
Enterprises, the Law on special consumption tax and Law on Enforcement of  
Civil Judgments dated January 11<sup>th</sup>, 2022;*

*Pursuant to the Land Law dated November 29<sup>th</sup>, 2013;*

*Pursuant to the Law on Housing dated November 25<sup>th</sup>, 2014; bidding law  
dated November 26<sup>th</sup>, 2013;*

*Pursuant to the Law on Construction dated June 18<sup>th</sup>, 2014; Pursuant to  
the Law amending and supplementing some articles of the law on construction  
dated June 17<sup>th</sup>, 2020;*

*Pursuant to Law on Real Estate trading dated November 25<sup>th</sup>, 2014;*

*Pursuant to Decree No.31/2021/NĐ-CP dated March 26<sup>th</sup>, 2021 by the  
Government detailing and instructing the implementation of some articles of the  
Law on Investment;*

*Pursuant to Decree No.25/2020/NĐ-CP dated February 28<sup>th</sup>, 2020 by the  
Government detailing the implementation of some articles of Bidding law on  
selecting contractors;*

*Pursuant to Decree No.100/2015/NĐ-CP dated October 20<sup>th</sup>, 2015 by the  
Government detailing the development and management of social housing;  
Decree No.49/2021/NĐ-CP dated April 4<sup>th</sup>, 2021 by the Government amending,  
supplementing some articles of Decree No.100/2015/NĐ-CP dated October 20<sup>th</sup>,  
2015 by the Government on social housing management and development.*

*Pursuant to Circular No.03/2021/TT-BKHĐT dated April 9<sup>th</sup>, 2021 by  
Ministry of Planning and Investment stipulating the forms of documents, reports  
related to investment activities in Viet Nam, outward direct foreign investment  
and investment promotion;*

*Pursuant to Decision No.3861/QĐ-UBND dated November 26<sup>th</sup>, 2021 by the Provincial People's Committee approving detailed planning of social housing area in Loc Ninh commune, Dong Hoi city, ratio 1/500;*

*Pursuant to Resolution No.61/NQ-HĐND dated May 27<sup>th</sup>, 2022 by Quang Binh Provincial People's Council supplementing, amending the list of projects with land withdrawal, land use purpose transfer within Quang Binh province;*

*Pursuant to Decision No.1288/QĐ-UBND dated May 10<sup>th</sup>, 2021 by Quang Binh Provincial People's Committee approving land use master plan by the year 2030 and land use planning by the year 2021 of Dong Hoi city;*

*Pursuant to Decision No.1752/QĐ-UBND dated June 27<sup>th</sup>, 2022 by Quang Binh Provincial People's Committee on supplementing, amending the list of works, projects in the land use planning in districts, city and town of the year 2022;*

*Pursuant to Decision No.2804/QĐ-UBND dated August 31<sup>st</sup>, 2021 by Quang Binh Provincial People's Committee on approving Quang Binh provincial housing development program within the period of 2021-2030;*

*Pursuant to Decision No.1539/QĐ-UBND dated June 9<sup>th</sup>, 2022 by the Provincial People's Committee on amending, supplementing the list of commercial housing, urban centers projects belonging to the housing development plan by the year 2022 at Decision No.4789/QĐ-UBND dated December 31<sup>st</sup>, 2021;*

*Pursuant to Decision No.13/2022/QĐ-UBND dated April 1<sup>st</sup>, 2022 by Quang Binh Provincial People's Committee stipulating areas of transferring land use right with infrastructure construction for people to do housing construction within Quang Binh province;*

*Pursuant to Announcement No.670-TB/TU dated September 28<sup>th</sup>, 2022 by Quang Binh Provincial Party's Committee on announcing the opinions of Standing Provincial Party Committee on the policy for implementing social housings area in Loc Ninh commune, Dong Hoi city;*

*On considering the proposal for project implementation and attached profiles by joint venture between NNP Investment Joint Stock Company and Dong Da Housing Development Investment Joint Stock Company (investor's proposal) and opinions of related agencies;*

*On considering the proposal by Department of Planning and Investment at Report No. 1910/KHĐT-TĐ dated July 11<sup>th</sup>, 2022 and Dispatch No. 2839/KHĐT-TĐ dated October 12<sup>th</sup>, 2022.*

## **HEREBY DECIDES THAT**

**Article 1.** Approval of investment policy for the project named: social housing area in Loc Ninh commune, Dong Hoi city with the following contents:

**1. Method of investor selection:** bidding for investor selection as per the legal regulations of bidding

**2. Project name:** social housing in Loc Ninh commune, Dong Hoi city.

**3. Project objectives:** concretizing the detailed planning, establishing housing development program and plan; approved land use master plan; setting up the new living quarters, meeting the demand of housings for employees, labors and beneficiaries enjoying the social housing policy at the locality; gradually embellishing and upgrading urban landscapes; mobilizing the investment capital from investors and enterprises to implement the task of ground clearance; socio-economic infrastructure investment, contributing to promote the local socio-economic development.

**4. Project scale:**

4.1. Land use area: about 9,6ha based on the social housing project boundary approved by Decision No. 3861/QĐ-UBND dated November 26<sup>th</sup>, 2021 by the Provincial People's Committee on approving detailed planning for social housings area in Loc Ninh commune, Dong Hoi city, ratio 1/500 (excluding Cao Thang street route to be upgraded in the future; the route from Loc Ninh commune to Dong Hoi Northwest industrial zone with state's investment; and the route belonging to the Southeast residential area of Cao Thang street)

4.2. Construction scale: completely investing in technical infrastructure, social infrastructure, housings and other works as per construction master plan approved by the Provincial People's Committee at Decision No. 3861/QĐ-UBND dated November 26<sup>th</sup>, 2021 with the land use area of about 9,6ha including the following items:

a) Part of infrastructure works: invest in complete construction of technical infrastructure with the land use area of about 9,6ha (including: ground levelling, traffic road; rain water drainage; parking lot; water supply and fire prevention and extinguisher; waste water drainage and environmental hygiene; power supply and electric lighting; green park; contact information....) as per approved detailed planning.

b) Part of housing works: the project establishes about 290 land lots for constructing low-floor social housing; 01 land lot for constructing high-floor social housing; 93 land lots for constructing low-floor commercial housing with total land area of about 53.573,99m<sup>2</sup>.

- Social housing:

+ Low-rise social housing: constructing about 290 low-floor social housing

with the expected land use area of about  $19.615,6\text{m}^2$ , total construction floor of about  $39.231\text{m}^2$ , the height of floor, construction density, land use coefficient as per the approved detailed planning.

+ High-rise social housing: construct the social housing apartment with the land use area of about  $23.239,45\text{m}^2$ , total construction floor of about  $40.835\text{m}^2$ , the quantity of social housing apartment: about 401 houses, the height of floor, construction density, land use coefficient as per the approved detailed planning.

- Low-rise commercial housing: constructing about 93 commercial housing (constructing the rough part, finishing the façade) in 93 and lots with the land use area of about  $10.718,94\text{m}^2$  (occupying 20% total living land of the project), total floor area of about  $44.256\text{m}^2$ , the height of floor, construction density, land use coefficient as per the approved detailed planning.

4.3. Preliminary structure of housing products: total quantity of housing type: about 784 houses including: about 290 low-rise social housing and about 401 apartments at the high-rise social housing apartments; about 93 commercial housings.

4.4. Population scale: about 3.136 people.

4.5. Land fund for social housing development: area of about  $42.855\text{m}^2$  occupying 80% total living land area of the project.

4.6. Preliminary option for investing, constructing and managing urban infrastructure in and out of the project scope; the preliminary part of urban infrastructure remaining for investor to do trading, part of urban infrastructure investor transferring to the locality.

a) Preliminary option for investing, constructing and managing urban infrastructure in and out of the project scope:

- Infrastructure in the project: investor constructs synchronously technical infrastructure as per approved detailed planning within the project scope (including: ground levelling, traffic road; rain water drainage; waste water drainage and environmental hygiene; water, power and electric lighting supply; contact information; green trees, park, parking area....) to guarantee the connection with the general technical infrastructure system of the region, conditions of environmental hygiene, fire prevention....; housing construction based on preliminary housing product structure approved by the investment policy of the project.

- Infrastructure out of the project: guarantee the connection among traffic infrastructure system, water supply, power supply, rain water drainage, waste water drainage, contact information in and out of the project to be consistent and synchronous with the approved detailed master plan.

b) Preliminary part of urban infrastructure investor uses for the purposes of trade and investment, urban infrastructure transferred to the locality:

- Part of urban infrastructure investor uses for the purposes of trade and investment:

Investors are permitted to keep a part of urban infrastructure for the purposes of trade and investment regarding property products to be constructed on the land lots to be planned as living land, social living land, as per the approved detailed master plan.

- Part of urban infrastructure investors transferring to the State:

Technical infrastructure works includes: traffic road, rain water drainage, waste water drainage and environmental hygiene, utility trench, water supply, power supply, lighting electricity, contact information, green trees, park, parking area....to be constructed out of the planned land as living land, social living land as per the approved detailed project master plan and project scale;

After finishing the tasks of acceptance, set up completion profile, project maintenance and warranty profile as per legal regulation, investors will be responsible for preparing procedures and implementing the task of transferring completely constructed urban infrastructure system to local authority or units of direct management and operation to receive the tasks of management and operation, guarantee following stipulations of project transfer and project management and operation as stipulated.

The archives of project design and completion profiles will be done as per legal regulations of construction and housings; investors will be responsible for project quality and transferred project warranty as per legal regulations. Regarding completed and used works, it is necessary to assess quality, value and completion of the necessary maintenance before transferring.

During the time that investors not transferring to the local authority or direct management and operation units, investors have to be responsible for managing, operating and maintaining the works, guarantee the security, safety and implement necessary services for residential households.

The project scale in the investment policy is preliminary which will be defined concretely at the phase of establishing feasible study report, design carried out after the grassroots design to be appraised and approved as per current stipulations.

**5. Expected project invested capital:** 996 billion dong (*in words: Nine hundred and ninety-six billion dong*)

a) Structure of the invested capital:

- Preliminary project implementation cost: about 972 billion dong

(excluding cost for compensation, re-settlement support, ground clearance);

- Preliminary cost for compensation, re-settlement support, ground clearance (temporarily estimated): about 24 billion dong.

b) Invested capital:

- Contributed capital (owner capital) of investor: occupies at least 20% project capital;

- Legally mobilized capital: occupies maximum 80% project capital.

Selected investors must mobilize the legal capital to implement the project as stipulated (out of which the minimum owner capital is equal to 20% invested capital of the project).

Preliminary project investment capital is just expected, so that investors will consider the financial capacity when joining the bidding, which is the basis to prepare the preliminary assessment of financial capacity, experiences of investors, not use to estimate land use fee, land lease fee and financial responsibilities of selected investors to implement the project; defining land use fee, project land lease fee (if any) is as per the stipulations of land and related legal documents.

**6. Project operational time:** within 50 years since the date investors granting land, leasing land; buyers of housing attached with living land use right or buyers of living land for housing construction will have the stable and long term use right as per the land law.

**7. Project implementation location:** Loc Ninh commune, Dong Hoi city, Quang Binh province

**8. Project implementation progress:** Not over 6 years since the date having the investor selection approval decision or investor approval decision, expected from the year 2022 to the year 2027, out of which:

- Implement the task of compensation, resettlement supporting, ground clearance compensation and complete the land procedures: finished within quarter IV of the year 2023;

- Implement the tasks of construction and other tasks of investment preparation: finished in Quarter IV of the year 2024;

- Construct the works of project and finished the task of construction within quarter IV of the year 2027;

- Finish the task of basic construction investment, put the project into operation in the year 2027.

**9. Investment incentives, investment supporting and application conditions:**

investors will enjoy investment incentives as per current legal stipulations.

### **10. Conditions for project implementation regarding award bidder**

- Expenditure deposit for state agency as per the options of compensation, supporting and resettlement approved by the authority level for project implementation ground clearance (deposited cost will be estimated as the project cost).

- Fully implement financial responsibilities related to the project: land use fee, land lease fee; tax, fee, related costs of land....(if any)

- Deposit or banking guarantee of deposit obligation to ensure the project implementation as per the legal stipulations (in case of investor approval)

- Organize the options of takeoff and using the surface land of the rice planting land submitted to the authorized level to consider as stipulated by Decree No. 94/2019/NĐ-CP dated December 13<sup>th</sup>, 2019 by the Government detailing some articles of planting law.

- Implement the investment project as per the objectives, contents, progress of the commitments and the contents at the project investment policy approved by the PPC and the approved master plan; absolutely follow the legal regulations, current state's policies during the process of implementing the investment procedures, investment project and the project being put into the operation; bear all arisen damages in case of not implementing or not implementing the right procedures as per investment law, Decree No. 31/2021/ND-CP dated March 26<sup>th</sup>, 2021 by the Government detailing and instructing the implementation of some articles of investment law and related law.

- Terminate the phase of housing project investment and construction; acceptance, handover, maintenance as per the stipulations by article 16 Decree No. 99/2015/NĐ-CP dated October 20<sup>th</sup>, 2015 by the Government detailing and instructing the implementation of some articles of the law on housing, Decree No. 06/2021/NĐ-CP January 26<sup>th</sup>, 2021 by the Government detailing some contents of quality management, construction and maintenance of some works and the construction law.

- Management and operation of the high-rise apartment as per the stipulations by Decree No.100/2015/NĐ-CP dated October 20<sup>th</sup>, 2015 by the Government detailing the development and management of social housing; Decree No. 49/2021/NĐ-CP dated April 1<sup>st</sup>, 2021 by the Government amending, supplementing some articles of Decree No. 100/2015/NĐ-CP dated October 20<sup>th</sup>, 2015 by the Government on development and management of social housing and other related legal documents. Investor will be responsible for organizing the first conference of apartments, establish the management board for managing, operating the apartment works; when not organizing the first apartment

conference then investor must organize the management and operation of apartment as defined law.

- Implement the task of monitoring, investment assessment as per Decree No. 29/2021/NĐ-CP dated March 26<sup>th</sup>, 2021 by the Government on the procedures of appraising the important national project and investment monitoring and evaluation; quarterly and annually reporting to the department, sector and localities: Planning and Investment, Natural resources and environment; construction, tax agency, statistics agency, Dong Hoi Municipal People's Committee and related agencies on the project implementation situation including the following contents: (i) project construction progress, (ii) invested capital, (iii) business and investment activities results, (iv) information of labors, (v) state budget payment, (vi) environmental treatment and protection, (vii) Specialized criteria as per operational sectors and related project contents.

- Regarding the planned area as vestiges land (Bong Well of Phu Xa village): maintain the current condition and expand the area, combined with green trees to create the community area and social infrastructure for people.

- Implement the task of construction after completing profiles, procedures as defined by legal regulations.

Authorized agencies will consider to end project activities without compensation, returns of related costs for done tasks regarding projects in case investors do not implement accurately and fully the commitments and stipulated contents at the investment policy approval decision, approval decision of investor selection or investor approval decision or other legal violations in which the project must be terminated as per legal regulations.

## **Article 2. Implementation organization**

Responsibilities of departments, sectors and localities:

- Department of Planning and Investment: based on the project investment policy approval decision, defining the preliminary requirements of investor capacity and experiences, reporting the Provincial People's Committee for approval before declaring the list of project; state management regarding invested project as stipulated; work with investor to agree on the deposit agreement for project implementation guarantee (in case of investor approval); coordinate with departments, sectors, localities to monitor, process existing problems as assigned authority.

- Department of Natural Resources and Environment: instruct the investor to implement procedures of land, environment, compensation, supporting, resettlement for project ground clearance as stipulated; monitor, manage the land use, follow solutions of environmental protection and related problems.

- Department of Construction: implement the task of checking, monitoring and state management of construction agencies regarding project to ensure the

stipulations of construction, housing, property trading, related laws, as well as investment policy approval decision, approved planning; responsible for coordinating with related units to consult the PPC in term of housing type, social housing standards; sale price, leasing price, social housing leasing; objects of social housing leasing and purchasing.....as per Decree No. 100/2015/NĐ-CP dated October 20<sup>th</sup>, 2015 on social housing development and management; Decree No. 49/2021/NĐ-CP dated April 1<sup>st</sup>, 2021 by the Government on amending and supplementing some articles of Decree No. 100/2015/NĐ-CP dated October 20<sup>th</sup>, 2015 by the Government and related laws of social housing investment and construction; responsible for instructing investors about related problems of social housing investment and construction.

- Department of Agriculture and Rural development will be in charge of instructing investors to implement related procedures to the rice planting land use purpose transfer as per stipulations by Planting Law.

- Dong Hoi Municipal People's Committee:

- + Closely coordinate with investors within the implementation process; construction monitoring regarding urban technical infrastructure works investors transferring to the state after completion, project technical infrastructure connected with the regional technical infrastructure; after the project construction completion, coordinating with related units to receive, manage, operate urban technical infrastructure works transferred by investors.

- + Establish, appraise, approve the task of compensation, supporting, resettlement and related tasks as per the mandate of the PPC pursuant to Decision No.16/2018/QĐ-UBND dated June 25<sup>th</sup>, 2018 stipulating administrative procedures in term of land sector applied to the religious organizations; overseas Vietnamese; enterprises with foreign invested capital with investment project implementation; foreign organizations with diplomatic function within Quang Binh province.

- + Instruct the investors to implement related procedures under the authority of the district people's committee.

- Related departments, sectors and units will base on the functions, responsibilities of state management to instruct, support investors to implement project timely and effectively; implement the task of checking, monitoring, state management regarding the project as per legal regulations.

- Department of Planning and Investment, related departments, sectors, localities will fully, accurately, strictly implement procedures as per the legal regulations; regularly monitor and supervise the project progress commitments; propose the treatment methods regarding slow project implementation progress.

### **Article 3. Execution provision**

1. This decision shall be valid since the signing date.

2. Provincial People's Committee Office, Department of Planning and Investment, Construction Department, Department of Natural resources and Environment, Financial Department, Department of Agriculture and Rural development, Dong Hoi Municipal People's Committee, and related units shall be responsible for implementing this decision.

3. This decision will be sent to the investor with interests to prepare the proposal profile for project investment policy approval; one copy will be sent to Department of Planning and Investment and one copy will be retained at Provincial People's Committee./.

***Place of receiving:***

- Like article 3;
- Standing Party's Committee;
- Party civil affairs Committee of PPC;
- Chairman, vice chairman of PPC
- Departments, sectors: planning and investment, construction, natural resource and environment, finance, agricultural and rural development;
- PPC office;
- Dong Hoi Municipal People's Committee;
- Loc Ninh communal People's Committee;
- Filing: archives, general economic office

**ON BEHALF OF  
PROVINCIAL PEOPLE'S COMMITTEE  
CHAIRMAN**

**(Signed and sealed)**

**TRAN THANG**