

**PEOPLE'S COMMITTEE
OF THANH HOA
PROVINCE**

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

No.: 684/QD-UBND

Thanh Hoa, March 02, 2023

DECISION

**Re: Approving the List of the golf course project in Quang Nham commune,
Quang Xuong district**

THE PEOPLE'S COMMITTEE OF THANH HOA PROVINCE

Pursuant to the Law on Organization of Local Government dated June 19, 2015; the Law amending and supplementing a number of articles of the Law on Government Organization and the Law on Organization of Local Government dated November 22, 2019;

Pursuant to the Investment Law dated June 17, 2020;

Pursuant to the Land Law dated November 29, 2013;

Pursuant to the Government's Decree No. 31/2021/ND-CP dated March 26, 2021 detailing and guiding the implementation of a number of articles of the Investment Law;

Pursuant to the Government's Decree No. 43/2014/ND-CP dated May 15, 2014 detailing the implementation of a number of articles of the Land Law; the Government's Decree No. 148/2020/ND-CP dated December 18, 2020 amending and supplementing a number of Decrees detailing the implementation of the Land Law;

Pursuant to the Government's Decree No. 25/2020/ND-CP dated February 28, 2020 detailing the implementation of a number of articles of the Bidding Law on investor selection;

Pursuant to the Government's Decree No. 52/2020/ND-CP dated April 27, 2020 on investment in construction and business of golf courses;

Pursuant to the Conclusion No. 2131-KL/TU dated November 14, 2022 of the Standing Committee of the Provincial Party Committee regarding the Portfolio of the project on Golf course and auxiliary service areas, resort villas in Quang Nham commune, Quang Xuong district;

Pursuant to the Land Use Plan for the period 2021 - 2030 in Quang Xuong district approved by the People's Committee of Thanh Hoa province in



Decision No. 3458/QĐ-UBND dated September 06, 2021; adjusting and supplementing land use norms in Decision No. 1117/QĐ-UBND dated March 31, 2022 of the Provincial People's Committee;

Based on the Detailed planning at 1/500 scale of the Coastal tourism urban area in Quang Nham and Quang Thach communes, Quang Xuong district approved by the Chairman of Thanh Hoa Provincial People's Committee in Decision No. 5555/QĐ-UBND dated December 30, 2019;

At the request by the Department of Planning and Investment in Official Letter No. 399/SKHDT-DTDN dated January 19, 2023, Official Letter No. 866/SKHDT-DTDN dated February 20, 2023 and opinions of relevant units.

HEREBY DECIDES:

Article 1. To approve the Portfolio of the Golf course project in Quang Nham commune, Quang Xuong district, with the following contents:

1. Project name: Golf course in Quang Nham commune, Quang Xuong district.

2. Investment objectives: Building and operating an 18-hole golf course and its ancillary works, in order to promote socio-economic development, services, tourism and sports; to satisfy demands of diversifying forms of entertainment and recreation, fitness development and community health.

3. Project scale:

- Land usable area: About 72.56 ha.

- Investment scale: Investment in building items and works serving the operation of an 18-hole golf course, including: Land area for D-SG golf course (about 61.48 ha), land area for D-BTG golf villa (approximately 3.53 ha, with functions as an accommodation and service establish, not residential land), land area for D-CLB club (approximately 3.15 ha), land area for technical infrastructure (about 0.42 ha); land area for green trees (about 0.29 ha), water surface area (about 0.49 ha); traffic land area (about 3.2 ha).

(According to the Detailed planning at 1/500 scale of the Coastal tourism urban area in Quang Nham and Quang Thach communes, Quang Xuong district approved by the Chairman of Thanh Hoa Provincial People's Committee in Decision No. 5555/QĐ-UBND dated December 30, 2019).

4. Total preliminary investment capital: About 1,616 billion VND (One thousand six hundred and sixteen billion VND), of which:

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- Total preliminary costs for project implementation (excluding compensation, support and resettlement costs): About 1,533 billion VND.

- **Preliminary costs for compensation, support and resettlement:** About 83 billion VND.

5. Capital source of the selected investor: Self-raised for implementing the project according to regulations.

6. Operation period of the project: 50 years.

7. Project implementation location: In Quang Nham commune, Quang Xuong district; specifically as follows:

7.1. Scope of the land area is determined in the Cadastral Measurement Extract No. 01/TDDC-2022 (the measurement is based on the current land use status as a basis for the Communal People's Committee to determine the origin of the land) for the high-class international golf course project at Quang Nham commune, Quang Xuong district approved by the Department of Natural Resources and Environment on January 18, 2022.

7.2. Boundaries of the land area for project implementation:

- The North borders a part of Yen river and production forest land.

- The East borders the Hotel, tourism service, and resort villa project in Quang Nham commune, Quang Xuong district of Victoria Real Estate Services Investment Joint Stock Company (the Chairman of the Provincial People's Committee approved the investment policy in Decision No. 2160/QD-UBND dated June 11, 2020).

- The South borders the Hotel and commercial center complex project in Quang Nham commune, Quang Xuong district of ORG Joint Stock Company (the Chairman of the Provincial People's Committee approved the investment policy in Decision No. 2159/ QD-UBND dated June 11, 2020) and part of Yen river.

- The West borders a part of Yen river.

7.3. Origin of the land area: Including 41.83 hectares of land managed by the People's Committee of Quang Nham commune (accounting for 57.65% of the total land area, including about 1.08 hectares of land for transportation and irrigation, about 4.07 ha of production forest land, about 36.68 ha of aquaculture land, about 9.4 m2 of energy land) and 30.73 ha of land used by households and individuals (accounting for 42, 35% of the total land area, including about 0.1 ha of residential land that is not eligible for issuing a Land Use Right Certificate,

about 30.63 ha of other annual crops and production forest land that is eligible for issuing a Land Use Right Certificate).

7.4. Current status of the land area: The land has not been cleared.

- For the land managed by the People's Committee of Quang Nham Commune: The land for irrigation and transportation includes a number of existing ditches and roads; the production forest land area is growing with casuarinas; aquaculture land has been contracted by the People's Committee of Quang Nham commune to households raising clams and shrimps; Energy land is 01 power station.

- For land used by households and individuals: the residential land includes about 06 houses of households, the flat land for other annual crops is growing corn, potatoes, vegetables; the production forest land is growing casuarina.

7.5. Planning:

- According to the Land Use Plan for the period 2021 - 2030 in Quang Xuong district approved by the Provincial People's Committee in Decision No. 3458/QD-UBND dated September 06, 2021, the location of the above-mentioned land area is planned as land for construction of sports facilities.

- According to the Detailed planning at 1/500 scale of the Coastal tourism urban area in Quang Nham and Quang Thach communes, Quang Xuong district approved by the Chairman of Thanh Hoa Provincial People's Committee in Decision No. 5555/QD-UBND dated December 30, 2019, the land area proposed for implementing the project is part of zone D, which functions as a Luxury international resort and golf course.

8. Progress of project implementation: The investor shall complete the construction of the golf course and work items in service of the golf course within 36 months from the date on which the land on field is allocated.

9. Investment incentives and supports: The project is entitled to receive investment incentives and support in accordance with current regulations of the law if the investor strictly complies with the application and satisfies all relevant conditions according to the regulations.

Article 2. Preliminary requirements on capacity and experience of investors registering to implement the golf course project in Quang Nham commune, Quang Xuong district:

1. Satisfying the conditions on financial capacity to execute the investment project as prescribed in Clause 2, Article 14 of the Government's

Decree No. 43/2014/ND-CP dated May 15, 2014 detailing the implementation of a number of articles of the Land Law¹.

2. Satisfying the principles and conditions for investment in construction and business of golf courses as prescribed in Articles 3, 4, 5, 6, 7, 8 and 9 of the Government's Decree No. 52/2020/ND-CP dated April 27, 2020 on investment in construction and business of golf courses; proposing an implementation plan that ensures the feasibility and efficiency.

3. Obtaining experience in implementing similar projects and complying with regulations on investment, land, construction, traffic and environment during the implementation of projects that have been approved investment policies/granted Investment Registration Certificates, allocated land, and leased land by the competent authorities in accordance with law. Complying with provisions of the land law for the case of currently using the land allocated or leased by the State to implement investment projects as prescribed in Clause 3, Article 14 of the Government's Decree No. 43/2014/ND -CP dated May 15, 2014 detailing the implementation of a number of articles of the Land Law.

(Details included in the Appendix attached to this Decision).

Article 3. Organization for implementation

1. Assign the Department of Planning and Investment to assume the prime responsibility for, and coordinate with agencies in, notifying interested investors for the Portfolio of projects and preliminary requirements on capacity and experience of investors registering to implement the Golf course project in Quang Nham commune, Quang Xuong district; at the same time, widely publicize on the National procurement network system according to provisions of Clause 1, Article 16 of the Government's Decree No. 25/2020/ND-CP dated February 28, 2020 detailing the implementation of a number of Article of the Bidding Law on investor selection.

2. At the end of the time-limit for registering the project implementation (at least 30 days from the date of posting on the National Procurement Network), the Department of Planning and Investment shall coordinate with relevant units in preliminarily assessing the capacity, experience of investors who have submitted their application for project implementation. Based on the assessment results, the Department of Planning and Investment shall submit to the Chairman of the

¹ "a) Obtaining capital under his/her ownership for project implementation which is not less than 20% of the total investment, for projects with a land use scale of less than 20 hectares; which is not less than 15% of the total investment, for projects with a land use scale of 20 hectares or more;
b) Being capable of raising capital for project implementation from credit institutions, foreign bank branches and other organizations and individuals".

Provincial People's Committee for making a decision on organizing the implementation in one of the following two cases:

- In case there is only one investor who is interested and satisfies the preliminary requirements on capacity and experience or there are many interested investors register but only one investor satisfies the preliminary requirements on capacity and experience, pursuant to Point c, Clause 1, Article 16 of the Government's Decree No. 25/2020/ND-CP dated February 28, 2020 detailing the implementation of a number of articles of the Bidding Law on investor selection (as amended and supplemented in Clause 7, Article 108 of the Government's Decree No. 31/2021/ND-CP dated March 26, 2021), the Chairman of the Provincial People's Committee will assign the Department of Planning and Investment to study on extending the time to publish the project portfolio (at least 15 days), in order to facilitate other interested investors to submit applications for project implementation, for the purpose of increasing the competition and transparency in investor selection.

After the extension period, if there is still only one investor who is interested and satisfies the preliminary requirements on capacity and experience, or there are many interested investors register but only one investor satisfies the preliminary requirements on capacity and experience: The Department of Planning and Investment is responsible for notifying and guiding the investor to submit the application for approving the investment policy, and at the same time, for approving the investor in accordance with provisions of the investment law and other relevant laws; the Department of Natural Resources and Environment shall guide the investor to carry out procedures for receiving the transfer and lease of land use rights, receiving capital contribution with land use rights, and being allowed to change the land use purpose or lease land in accordance with provisions of the land law as prescribed.

- In case there are two or more investors who are interested and satisfy the requirements, the determination for an investor to implement the project will be studied and implemented after the Ministry of Planning and Investment has issued documents guiding localities related to the project of investment in construction and business of golf courses, under the direction of Deputy Prime Minister Tran Hong Ha in Document No. 723/VPCP-NN dated February 08, 2023.

- In the process of organizing the investor selection (including: Announcement of the project portfolio; assessment of preliminary requirements on capacity and experience of investors; bidding for investor selection/investor approval), if there is any change in the provisions of the law, the provisions of

the current law shall apply.

Article 4. Implementation provisions

1. Effective date: This Decision takes effect from the date of its signing.

2. The Chief of Office of the Provincial People's Committee, Directors of Departments: Planning and Investment, Natural Resources and Environment, Construction, Agriculture and Rural Development, Transport, Culture, Sports and Tourism; Director of the Provincial Public Security; Chief commander of the Provincial Military Command; Chairman of Quang Xuong District People's Committee and Heads of relevant agencies and units are responsible for the implementation of this Decision.

3. This decision is delivered to the Department of Planning and Investment and a copy is kept at the People's Committee of Thanh Hoa province./.

Attn.:

- As Article 3 of the Decision;
- Chairman, Vice Chairmen of the Provincial People's Committee;
- Archive: File Management, THKH.

**ON BEHALF OF THE
PEOPLE'S COMMITTEE
FOR CHAIRMAN
VICE CHAIRMAN**

Mai Xuan Liem

