

No: 2345/HD-SQHKT

*Ho Chi Minh City, August 10, 2011*

## GUIDANCE

ON THE COMPONENTS OF DOSSIERS WITHIN AUTHORITY OF DEPARTMENT OF PLANNING AND ARCHITECTURE IN MANAGEMENT OF URBAN PLANNING TO IMPLEMENT THE DECISION No. 28/2011/QD-UBND DATED MAY 19, 2011; DECISION No. 48/2011/QD-UBND, DECISION NO. 49/2011/QD-UBND AND DECISION No. 50/2011/QD-UBND DATED JULY 12, 2011 OF THE PEOPLE'S COMMITTEE OF HO CHI MINH CITY

Pursuant to the Law on Urban Planning dated June 16, 2009, Decree No. 37/2010/ND-CP dated April 07, 2010 of the Government on the formulation, assessment, approval and management of the urban planning and implementation of the Decisions of the People's Committee of Ho Chi Minh City: the Decision No. 28/2011/QD-UBND dated May 19, 2011 promulgating the regulations on the adjustment to the urban planning in Ho Chi Minh city, Decision No. 48/2011/QD-UBND dated July 12, 2011 on the issuance of the Planning Permits in Ho Chi Minh City, Decision No. 49/2011/QD-UBND dated July 12, 2011 promulgating the regulations on the announcement and provision of the information of the urban planning in Ho Chi Minh City, Decision No. 50/2011/QD-UBND dated July 12, 2011 on the formulation, assessment and approval for the urban planning in Ho Chi Minh city; the Department of Planning and Architecture provides instructions on the components of the application dossiers that are applied at the Department of Planning and Architecture as follows:

### **I. Components of application dossiers for assessment and approval for tasks of urban planning (formulation and general adjustment):**

#### **1. With regard to the overall planning of towns; Class V urban areas that have not been recognized as towns; overall planning of industrial zones (whose area is equal to or more than 500 hectares):**

##### **1.1. Formulation of planning:**

###### **a. Components of an application dossier:**

- A written request for the assessment and approval of the agency formulating the urban planning (using form);
- The original or certified true photocopy of the written opinion of the representative of the residential community related to the overall planning tasks;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the overall planning is not formulated by the People's Committee of such district);
- The originals or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier.
- A written description;
- A collection of designs including:
  - + The location diagram of the planning area which is part of the overall planning of the district of city;
  - + The map displaying the boundaries used for formulating the overall planning on a scale of 1:5.000 or 1:10.000;
- A compact disc including the written description and designs.

###### **b. Number of dossiers:** prescribed in Clause 1 Section IX of this Guidance.

##### **1.2. General adjustment to planning:**

The number and components of a dossier are similar to those of the formulation and added:

- The original or certified true photocopy of the written approval for the policies on the general adjustment to the overall planning of the People's Committee of Ho Chi Minh city;

- A certified true photocopy of the Decision on the approval for the overall planning of the People's Committee of Ho Chi Minh city, enclosed with a photocopy of the map of the approved overall planning

## **2. With regard to zoning:**

### **2.1. Formulation of zoning:**

#### **a. Components of an application dossier:**

- A written request for the assessment and approval of the agency formulating the urban planning (using form);
- The original or certified true photocopy of the written opinion of the representative of the residential community related to the zoning tasks;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the zoning is not formulated by the People's Committee of such district);
- The originals or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier.
- A written description;
- A collection of designs including:
  - + The location diagram of the planning area which is part of the urban overall planning;
  - + The map displaying the boundaries used for formulating the overall planning on a scale of 1:2.000 or 1:5.000.
- A compact disc including the written description and designs.

#### **b. Number of dossiers: prescribed in Clause 1 Section IX of this Instruction.**

### **2.2. General adjustment to zoning:**

The number and components of a dossier are similar to those of the formulation and:

- The original or certified true photocopy of the written approval for the policies of the general adjustment to the zoning of issued by a competent authority;
- A certified true photocopy of the Decision on the approval for the zoning (or the detailed planning project on a scale of 1:2000) issued by a competent authority enclosed with a photocopy of the map of the approved overall planning.

**3. With regard to detailed planning** *(applied to the detail planning that facilitates the urban management and the detailed planning of the construction investment projects that are not subject to the issuance of the Planning Permits- the areas eligible for the formulation of the detailed planning whose information of planning is sufficient.*

### **3.1. Formulation of planning:**

#### **a. Components of an application dossier:**

- A written request for the assessment and approval of the owner or agency formulating the urban planning (using form);
- The original or certified true photocopy of the written opinion of the local residential community related to the detailed planning tasks;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the detailed planning is used to facilitate the urban management).
- With regard to the detailed planning of any construction investment project, the original or certified true photocopy of the valid record of the information about the planning of the competent authorities or Planning Certificate (if any), and one of these:
  - + The original or certified true photocopy of the written recognition as owner issued by the People's Committee of Ho Chi Minh city or the written approval for the investment of a competent authority pursuant to the Decree No. 71/2010/ND-CP dated June 23, 2010 of the Government (with regard to any housing development project pursuant to the Decree 71/2010/ND-CP);
  - + The original or certified true photocopy of the written appointment as owner of a competent authority (with regard to the construction investment project funded by the State budget).
  - + The original or certified true photocopy of the written approval for the investment policies or investment location of the People's Committee of Ho Chi Minh city or the valid written approval for the investments of the

provincial Department of Natural Resources and Environment (with regard to the investment projects whose procedures for the land allocation and land lease have been implemented pursuant to the Decision No. 19/2008/QĐ-UBND dated March 21, 2008 of the People's Committee of Ho Chi Minh city).

- + The original or certified true photocopy of the written recognition of the result of the land use right auction (hereinafter referred to as land auction) (*if the owner wins the land auction*).
- + The original or certified true photocopy of the legal documents on the land right, land allocation and land lease under the regulations of the laws (if the owner has the legal rights to land use, land allocation and land lease under the regulations)
- The originals or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier.
- The written description;
- A collection of designs including:
  - + The location diagram of the planning area which is part of the zoning or urban overall planning;
  - + The map displaying the area boundaries used for formulating the overall planning on a scale of 1:500 (with regard to any detailed planning of the construction investment project: the original or certified true photocopy of the current location map on a scale of 1:500)
- A compact disc including the written description and designs.

**b. Number of dossiers: prescribed in Clause 1 Section IX of this Instruction.**

### **3.2. General adjustment to planning:**

The number and components of a dossier are similar to those of the formulation and:

- The original or certified true photocopy of the written approval for the policies of the adjustment to the detailed planning of a competent authority;
- A certified true photocopy of the Decision on the approval for the detailed planning (on a scale of 1:500) of a competent authority enclosed with the photocopy of the map of the approved overall planning.

## **4. With regard for urban design for specific blocks:**

### **4.1. Creation of urban design for specific blocks:**

#### **a. Components of an application dossier:**

- A written request for the assessment and approval of the agency creating the urban design for specific blocks (hereinafter referred to as specific urban design) (using form);
- The original or certified true photocopy of the written opinion of the local residential community related to the specific urban design tasks;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the specific urban design is not created by the People's Committee of such district);
- The originals or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier.
- A written description;
- A collection of designs including:
  - + The location diagram of the planning area the which is part of the detailed planning or zoning, detailed planning of construction on a scale of 1:2000 or overall planning of the district;
  - + The map displaying the are boundaries used for formulating the specific urban design.
- A compact disc including the written description and designs.

**b. Number of dossiers: prescribed in Clause 1 Section IX of this Instruction.**

### **4.2. Adjustment to specific urban design:**

The number and components of a dossier are similar to those of the formulation and added:

- The original or certified true photocopy of the written approval for the policies of the adjustment to the specific urban design of a competent authority;
- The original or certified true photocopy of the Decision on the approval for the specific urban design project enclosed with the photocopies of the designs for the urban design;

## **II. Components of application dossiers for assessment and approval for urban planning plan, specific urban design (formulation and general adjustment):**

### **1. With regard to adjustment to overall planning of districts:**

Such application dossiers shall be compiled according to the Decree No. 08/2005/ND-CP of the Government on the construction planning, Circular No. 07/2008/TT-BXD dated April 07, 2008 of the Ministry of Construction giving instructions on the formulation, assessment, approval and management of the construction planning.

### **2. With regard to the overall planning of towns and Class V urban areas that have not been recognized as towns; overall planning of functional urban areas whose tasks have been approved before the effective date of the Decree No. 37/2010/ND-CP of the Government (May 25, 2010):**

#### **2.1. Formulation of planning:**

##### **a. Components of an application dossier:**

- A written request for the assessment and approval of the agency that formulates the urban planning (using form);
- A certified true photocopy of the Decision on the approval for the overall planning tasks;
- A certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the formulation of the planning project and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers, chief of planning project, specialist in the urban planning (Class I with regard to the Special Class provinces, Class II with regard to the Class II provinces and below) taking part in formulating the planning project;
- The original or certified true photocopy of the written opinion of the representative of the residential community related to the overall planning plan;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the planning project is not formulated by the People's Committee of the district);
- The original or certified true photocopies of the documents of the Departments and Regulatory authorities related to the overall planning project (that are requested to give opinions in the Decision on the approval for the tasks, if any) to clarify some relevant contents in the dossier;
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- A general written description (enclosed with the diagrams, the small scale designs on A3 papers, including the color design for the overall planning)
- A collection of designs including:
  - + The diagram of the location and the relation between the planning area with surrounding areas on a scale of 1:10.000 or 1:25000 (or which is part of the overall planning of the district or city)
  - + The maps of the current conditions of land use landscape;
  - + The maps of the current conditions of the technical infrastructure system and environmental protection on a scale of 1:5.000 or 1:10.000, including:
    - \* The map of the current conditions of traffic system;
    - \* The map of the current conditions of the high of the foundation and surface drainage system;
    - \* The map of the current conditions of the power supply system;
    - \* The map of the current conditions of the water supply system;
    - \* The map of the current conditions of the sewage disposal and solid waste treatment system;
    - \* The map of the current conditions of the communications system;
    - \* The map of the current conditions of the environment;
  - + The diagram of the urban development framework (at least 02 options). This diagram is used to file the report, not included in the dossier);
  - + The diagram of the orientation to the urban space development on a scale of 1:5.000 or 1:10.000;
  - |+ The map of the land-use planning and functional subdivision according to the stages of planning on a scale of 1:5.000 and 1:10.000;

+ The maps of the orientation to the development of the technical infrastructure system and environmental protection on a scale of 1:5.000 or 1:10.000, including:

- \* The map of the planning of urban traffic;
- \* The map of the planning of the high of the foundation and urban surface drainage;
- \* The map of the urban power supply planning;
- \* The map of the planning of the urban water supply ;
- \* The map of the planning of the sewage disposal and solid waste treatment ;
- \* The map of the communications system planning;
- \* The map of the strategic environment assessment;
- \* The general map of the technical lines and pipelines.

- The draft of the Management regulation conformable with the overall planning project;

- A compact disc including the written description, designs and the draft of the Management regulation conformable with the overall planning project.

**b. Number of dossiers:** prescribed in Clause 2 Section IX of this Guidance.

## **2.2 General adjustment to planning:**

The number and components of the a dossier are similar to those of the formulation of the planning and added a certified true photocopy of the Decision on the approval for the overall planning issued by a competent authority, enclosed with the photocopies of the approved planning maps.

## **3. With regard to the overall planning of industrial zones (whose area is equal to or more than 500 hectares):**

### **3.1. Formulation of planning:**

#### **a. Components of an application dossier:**

- A written request for the assessment and approval of the agency that formulates the planning (using form);
- A certified true photocopy of the Decision on the approval for tasks of the general industrial zone planning;
- A certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the formulation of the planning project and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers, chief of the planning plan, the specialist in the Class I urban planning taking part in the formulation of the planning plan;
- The original or certified true photocopy of the written opinion of the representative of the residential community related to the overall planning plan;
- The original or certified true photocopy of the written opinion of the management board of the processing and exporting zones and industrial zones of the city; the People's Committee of the district (the overall planning of its industrial zone is formulated);
- The original or certified true photocopies of the written opinions of the Departments, Regulatory authorities and organizations related to the overall planning project (that are requested to give opinions in the Decision on the approval for the tasks, if any) to clarify some relevant contents in the dossier;
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- A general written description (enclosed with the color small scale designs)
- A collection of designs (in black and white) including:
  - + The diagram of the location and relation between the planning area and surrounding areas on a scale of 1:25.000 and 1:50.000;
  - + The maps of the current conditions of landscape architecture and evaluation of the construction land on a scale of 1:5.000 or 1:10.000 ;
  - + The maps of the current conditions of the infrastructure system and environmental protection on a scale of 1:5.000 or 1:10.000, including:
    - \* The map of the current conditions of the traffic system;
    - \* The map of the current conditions of the high of the foundation and surface drainage system;

- \* The map of the current conditions of the power supply and lighting system;
- \* The map of the current conditions of the water supply system;
- \* The map of the current conditions of the sewage disposal and solid waste treatment system;
- \* The map of the current conditions of the communications system;
- \* The map of the current conditions of the environment;
- + The diagram of the urban development framework (at least 02 options to be compared and selected), on a scale of 1:10.000;
- + The map of the land-use planning on a scale of 1:5.000 and 1:10.000, the boundaries of each functional area of which are defined according to the nature and function with regard to any land that is used to build industrial factories, public service works, traffic roads, greeneries, major constructions of the technical infrastructure...;
- + The map of the orientation to the landscape architecture space;
- + The maps of the orientation to the development of the technical infrastructure system and environmental protection in the industrial zones on a scale of 1:5.000 or 1:10.000, including:
  - \* The map of the traffic planning;
  - \* The map of the planning of the high of the foundation and surface drainage;
  - \* The map of the planning of power supply;
  - \* The map of the planning of water supply;
  - \* The map of the planning of sewage disposal and solid waste treatment;
  - \* The map of the planning of the communications system;
  - \* The map of the strategic environment assessment;
  - \* The general map of the technical lines and pipelines.
- The draft of the Management regulation conformable with the overall planning project of the industrial zones;
- A compact dist including the written description, designs and the draft of the Management regulation conformable with the overall planning project of the industrial zones.

**b. Number of dossiers: prescribed in Clause 2 Section IX of this Guidance.**

**3.2 General adjustment to planning:**

The number and components of the applications are similar to those of the formulation of the planning and added a certified true photocopy of the Decision on the approval for the overall planning of the industrial zone issued by a competent authority, enclosed with the photocopies of the approved planning maps.

**4. With regard to zoning, detailed planning of urban construction in scale of 1:2000 whose tasks had been approved before effective date of Decree No. 37/2010/ND-CP (May 25, 2010)**

**4.1. Formulation of planning:**

**a. Components of an application dossier:**

- A written request for the assessment and approval of the agency that formulates the urban planning (using form);
- A certified true photocopy of the Decision on the approval for the tasks of the zoning or detailed planning of the urban construction on a scale of 1:2000;
- A certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the formulation of the planning project and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers, taking part in the formulation of the planning project;
- The original or certified true photocopy of the written opinion of the residential community related to the planning project;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the zoning or detailed planning project on a scale of 1:2.000 is not formulated by the People's Committee of the district);

- The original or certified true photocopies of the written opinions of the Departments, Regulatory authorities and organizations related to the planning project (that are requested to give opinions in the Decision on the approval for the tasks, if any) to clarify some relevant contents in the dossier;
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- General written description (enclosed with the diagrams, the designs on A3 papers, including the color design for the overall planning)
- A collection of designs including:
  - + The diagram of the location and area boundaries on a scale of 1:10.000 or 1:25.000;
  - + The maps of the current conditions of landscape architecture and evaluation of the construction land on a scale of 1:2.000 or 1:5.000;
  - + The maps of the current conditions of the technical infrastructure system and environmental protection on a scale of 1:2.000 or 1:5.000, including:
    - \* The map of the current conditions of the traffic system;
    - \* The map of the current conditions of the high of the foundation and surface drainage;
    - \* The map of the current conditions of the power supply and lighting system;
    - \* The map of the current conditions of the water supply system;
    - \* The map of the current conditions of the sewage disposal and solid waste treatment system;
    - \* The map of the current conditions of the communications system;
    - \* The map of the current conditions of the environment;
  - + The map of the overall planning on a scale of 1:2.000 or 1:5.000 (the small scale diagram defining the unit boundaries of the residential area planning project needs presenting on this design);
  - + The map of the organization of the landscape, architecture and space on a scale of 1:2.000 or 1:5.000;
  - + The maps of the planning of the other technical infrastructure system and environmental protection on a scale of 1:2.000 or 1:5.000, including:
    - \* The map of the planning of the urban traffic;
    - \* The map displaying the redline boundaries and construction boundaries (depending on the project contents and scale, it can be integrated with the map of the urban traffic planning);
    - \* The map of the planning of the high of the foundation and urban surface drainage;
    - \* The map of planning of the urban power supply and lighting;
    - \* The map of the planning of the urban water supply;
    - \* The map of the planning of the sewage disposal and solid waste treatment;
    - \* The map of the planning of the communications system;
    - \* The map of the strategic environment assessment;
    - \* The general map of the technical lines and pipelines.
- The draft of the Management regulation conformable with the zoning or detailed planning of the urban construction on a scale of 1:2000;
- A compact dist including the written description, designs and the draft of the Management regulation conformable with the zoning or overall planning of the urban construction on a scale of 1:2000.

**b. Number of dossiers: prescribed in Clause 2 Section IX of this Guidance.**

**4.2 General adjustment to planning:**

The number and components of the dossiers are similar to those of the formulation of the planning and added a certified true photocopy of the Decision on the approval for the zoning or overall planning project on a scale of 1:2000 issued by a competent authority, enclosed with the photocopies of the approved planning maps.

**5. With regard to the detailed planning (other than the detailed planning of industrial complexes or zones)**

## 5.1. Formulation of planning:

### a. Components of an application dossier:

- A written request for the assessment and approval of the owner or agency that formulates the urban planning (using form);
- A certified true photocopy of the Decision on the approval for tasks of the detailed planning issue by a competent authority;
- A certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the formulation of the planning project and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers, taking part in the formulation of the planning plan;
- The original or certified true photocopy of the written opinion of the residential community related to the overall planning plan;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the detailed planning is used for the urban management);
- The original or certified true photocopies of the written opinions of the Departments, Regulatory authorities and organizations related to the detailed planning project (if any) to clarify some relevant contents in the dossier;
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- If the investment project on the construction is issued with a Planning Certificate, one of those following documents is required:
  - + The original or certified true photocopy of the Planning Certificate.
  - + The original or certified true photocopy of the written recognition as the owner issued by the People's Committee of Ho Chi Minh city or the written approval for the investment issued by a competent authority pursuant to the Decree No. 71/2010/ND-CP dated June 23, 2010 of the Government (*with regard to any project on the housing development that is carried out pursuant to the Decree No. 71/2010/ND-CP*)
  - + The original or certified true photocopy of the written appointment as the owner of a competent authority (*with regard to any investment project on the construction that is funded by the State budget*)
  - + The original or certified true photocopy of the valid written approval for the investment policies or investment location issued by the People's Committee of Ho Chi Minh city or the valid written approval for the investment issued by the provincial Department of Natural Resources and Environment (*with regard to any investment project whose procedures for land allocation and land lease have been implemented pursuant to the Decision No. 19/2008/QĐ-UBND dated March 21, 2008 of the People's Committee of Ho Chi Minh city*).
  - + The original or certified true photocopy of the written recognition for the result of the land auction (with regard to any owner that wins the land auction)
  - + The original or certified true photocopy of the legal document on the rights to land use and land allocation under the regulations of the laws (*with regard to any owner that has the legal rights to land use, land allocation and land lease under the regulations*);
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- A general written description (enclosed with the diagrams and small scale designs)
- A collection of designs, including:
  - + The diagram of the location and land boundaries on a scale of 1:2.000 or 1:5.000;
  - + The original or certified true photocopy of the map of the current conditions of location a scale of 1:500 (with regard to any detailed planning of the investment projects on construction);
  - + The maps of the current conditions of landscape architecture and evaluation of the construction land on a scale of 1:500;
  - + The maps of the current conditions of the infrastructure system on a scale of 1:5.00, including:
    - \* The map of the current conditions of the traffic system;
    - \* The map of the current conditions of the high of the foundation and surface drainage;
    - \* The map of the current conditions of the power supply and lighting system;

- \* The map of the current conditions of the water supply system;
- \* The map of the current conditions of the sewage disposal and solid waste treatment system;
- \* The map of the current conditions of the communications system;
- \* The map of the current conditions of the environment;
- + The map of the overall planning on a scale of 1:500;
- + The map of the organization of the landscape, architecture, and space;
- + The maps of the planning of the infrastructure system and environment on a scale of 1:5.00, including:
  - \* The map of the planning of the urban traffic;
  - \* The map displaying the redline boundaries and construction boundaries (depending on the project contents and scale, it can be integrated with in the map of the urban traffic planning);
  - \* The map of the planning of the high of the foundation and urban surface drainage;
  - \* The map of planning of the urban power supply and lighting;
  - \* The map of the planning of the urban water supply;
  - \* The map of the planning of the sewage disposal and solid waste treatment;
  - \* The map of the planning of the communications system;
  - \* The map of the strategic environment assessment;
  - \* The general map of the technical lines and pipelines.
- The draft of the Management regulation conformable with the detailed planning project;
- A compact disc including the written description, designs and the draft of the Management regulation conformable with the overall planning plan.

**b. Number of application: prescribed in Clause 2 Section IX of this Guidance.**

**5.2 General adjustment to detailed planning:**

The number and components of a dossier are similar to those of the formulation of the detailed planning and added a certified true photocopy of the Decision on the approval for the detailed planning project issued by a competent authority, enclosed with the photocopies of the approved planning maps.

**6. With regard to the detailed planning of Industrial Complexes and Zones:**

**6.1. Formulation of planning:**

**a. Components of an application dossier:**

- A written request for the assessment and approval of the agency that formulates the planning (using form);
- The original or certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the formulation of the planning project and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers taking part in the formulation of the planning project;
- The original or certified true photocopy of the written opinion of the residential community related to the overall planning project;
- The original or certified true photocopy of the written opinion of the management board of the processing and exporting zones and industrial zones of the city (with regard to the industrial zone planning), the provincial Department of Industry and Trade (with regard to the Industrial complex planning); the People's Committee of the district (with regard to any detailed planning project on any local Industrial complex or zone in such district but not formulated by the People's Committee of such district);
- The original or certified true photocopies of the written opinions of the Departments, Regulatory authorities and organizations related to the detailed planning project on the Industrial complex or zone(if any) to clarify some relevant contents in the dossier;
- The original or certified true photocopy of the written approval for the investment policies issued by the People's Committee of Ho Chi Minh city.
- The original or certified true photocopy of the valid document on the information about the planning issued by a competent authority or Planning Certificate (if any) or Planning Permit (with regard to any planning that needs issuing with a Planning Permit);

- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- A general written description (enclosed with the color small scale designs)
- A collection of designs (in black and white), including: *Any planning whose area exceeds 200 hectares shall be formulated on the topography map on a scale of 1:2.000. Any planning whose area is equal to or less than 200 hectares shall be formulated on the map on a scale of 1:500*
- + The diagram of the location and land boundaries on a scale of 1:10.000 or 1:25.000;
- + The map of the current conditions of the location on a scale of 1:500 or 1:2.000
- + The maps of the current conditions of the architecture, landscape and evaluation of the construction land on a scale of 1:500 or 1:2.000 (any investment project on the construction of any Industrial complex or zone whose owner has been identified shall be assessed by the provincial Department of Natural Resources and Environment);
- + The maps of the current conditions of the infrastructure system on a scale of 1:500 or 1:2000, including:
  - \* The map of the current conditions of the traffic system;
  - \* The map of the current conditions of the high of the foundation and surface drainage;
  - \* The map of the current conditions of the power supply and lighting system;
  - \* The map of the current conditions of the water supply system;
  - \* The map of the current conditions of the sewage disposal and solid waste treatment system;
  - \* The map of the current conditions of the communications system;
  - \* The map of the current conditions of the environment;
- + The diagram of the planning framework (at least 02 options to be compared and selected), on a scale of 1:5.000;
- + The map of the land-use planning on a scale of 1:500 or 1:2.000, the boundaries of each area and land plot of which are defined according to the nature and function with regard to any land that is used to build industrial factories, public service works, traffic roads, greeneries, major constructions of the technical infrastructure; requirements for the management of the land use (number of stories, building density, land use coefficient...);
- + The maps of the planning of the technical infrastructure system of the Industrial complex or zone on a scale of 1:500 or 1:2000 (enclosed with the detailed designs), including:
  - \* The map of the planning of the urban traffic;
  - \* The map displaying the redline boundaries and construction boundaries of the roads (depending on the project contents and scale, it can be integrated with the map of the urban traffic planning);
  - \* The map of the planning of the high of the foundation and surface drainage;
  - \* The map of the planning of power supply;
  - \* The map of the planning of water supply;
  - \* The map of the planning of sewage disposal and solid waste treatment;
  - \* The map of the planning of the communications system;
  - \* The map of the strategic environment assessment;
  - \* The general map of the technical lines and pipelines.
- The draft of the Management regulation conformable with the detailed planning of the Industrial complex or zone;
- A compact dist including the written description, designs and the draft of the Management regulation conformable with the overall planning plan of the industrial zone.

**b. Number of dossiers: prescribed in Clause 2 Section IX of this Guidance.**

**6.2 General adjustment to detailed planning of Industrial complexes of Zones:**

The number and components of the an application dossier are similar to those of the formulation of new planning and added a certified true photocopy of the written approval for the policies on the adjustment to the detailed planning of the industrial complex or zone issued by a competent authority, the Decision on the

approval for the planning project on the Industrial complex or zone issued by a competent authority, enclosed with the photocopies of the approved planning maps.

## **7. With regard to specific urban design:**

### **Creation of new specific urban design:**

#### **a. Components of an application dossier:**

- A written request for the assessment and approval of the agency that creates the specific urban design (using form);
- A certified true photocopy of the Decision on the approval for the tasks of specific urban design issued by a competent authority;
- The original or certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the design and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers taking part in the creation of the specific urban design;
- The original or certified true photocopy of the written opinion of the residential community related to the specific urban design project;
- The original or certified true photocopy of the written opinion of the People's Committee of the district (if the specific urban design project is not formulated by the People's Committee of the district);
- The original or certified true photocopies of the written opinions of the Departments, Regulatory authorities and organizations related to the specific urban design project (that are requested to give opinions in the Decision on the approval for the tasks, if any) to clarify some relevant contents in the dossier;
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- A general written description;
- A collection of designs including:
  - + The diagram of the location and relation between the design area and surrounding areas;
  - + The diagrams that evaluate the history of the development of the area;
  - + The diagrams that analyze the current conditions of architecture and landscape of the area;
  - + The diagrams that analyze the ideas of the functional subdivision and space organization;
  - + The designs that give instructions on the urban design.
- The draft of the Management regulation conformable with the project on the specific urban design;
- A compact disc including the written description, designs and the draft of the Management regulation conformable with the project on the specific urban design.

#### **b. Number of dossiers: prescribed in Clause 2 Section IX of this Guidance.**

#### **General adjustment to specific urban design:**

The number and components of a dossier are similar to those of the creation of the new specific urban design and added a certified true photocopy of the Decision on the approval for the project on the specific urban design issued by a competent authority, enclosed with the photocopies of the approved designs.

### **III. Components of applications for the approval of designs of total areas- plans for construction architecture (formulation and adjustment- with regard to investment projects on construction that are not required to formulate detailed planning on scale 1:500):**

#### **1. Components of an application dossier:**

- A written request of the owner (or of the authority assessing the investment project) for the approval for the design for the total area- plan of the construction architecture (including a brief written description);
- The original or certified true photocopy of the Certificate of Business registration of the unit that provides the consultancy on the design and certified true photocopies of the practice certificates of the Urban planning Architects and Engineers taking part in the creation of the design for the total area and plan for the construction architecture;
- The original or certified true photocopy of the valid document on the information about the planning issued by a competent authority or Planning Certificate (if any) or Planning Permit (with regard to any investment project on construction that needs issuing with a Planning Permit);

- One of these papers:
  - + The original or certified true photocopy of the written recognition as the owner issued by the People's Committee of Ho Chi Minh city or the written approval for the investment issued by a competent authority pursuant to the Decree No. 71/2010/ND-CP dated June 23, 2010 of the Government (with regard to any project on the housing development carried out pursuant to the Decree No. 71/2010/ND-CP);
  - + The original or certified true photocopy of the written appointment as the owner of a competent authority (with regard to any investment project funded by the State budget);
  - + The original or certified true photocopy of the valid written approval for the investment policies or investment location issued by the People's Committee of Ho Chi Minh city or the valid written approval for the investment issued by the provincial Department of Natural Resources and Environment (with regard to any investment project whose procedures for land allocation and land lease have been implemented pursuant to the Decision No. 19/2008/QD-UBND dated March 21, 2008 of the People's Committee of Ho Chi Minh city);
  - + The original or certified true photocopy of the legal document on the right to land use and land allocation under the regulations of the laws (with regard to any owner that has the legal rights to land use, land allocation and land lease under the regulations);
  - + The original or certified true photocopy of the written recognition for the result of the land auction (with regard to the owner that wins the land auction).
- The original or certified true photocopies of the relevant documents (if any) to clarify some relevant contents in the dossier;
- + The original or certified true photocopy of the map of the current conditions of the location on a scale of 1:500;
- A collection of designs including:
  - + The total area on a scale of 1:500 displaying the location diagram land boundaries on a scale of 1:2.000 or 1:5.000.
  - + The orthographic projections of the area in the vertical plane and horizontal plane (at least 02 orthographic projections) on scale of 1:200-1:500 (depending on the scale of the area, they may be included in the design for the total area on a scale of 1:500);
- A compact disc including the written description, planning designs of the total area- plan for the construction architecture.

## **2. b. Number of dossiers: prescribed in Clause 3 Section IX of this Guidance.**

### **Note:**

- *The title block of a design is similar to one of the detailed planning project, of which the parts for the stamp of the assessment authority and approval authority are replaced by the part for the sign and stamp of the approval authority*
- *If the design for the total area – plan for the construction architecture need adjusting, the application must be recompiled under the regulations ( if consultancy unit is the same, the Certificate of Business registration of the unit that provides the consultancy on the design and practice certificates of the Urban planning Architects and Engineers taking part in the creation of the design are not required).*
- *In case of any difficulty or obstacle that arises during the implementation of this kind of dossier, the provincial Department of Planning and Architecture shall cooperate with the provincial Department of Construction and relevant provincial Departments and regulatory authorities in giving instructions on the contents of the designs related to the plans for the construction architecture.*

## **IV. Partial adjustment to urban planning and specific urban design:**

### **1. Components of an application dossier:**

- A written request for the partial adjustment to the urban planning of the agency that formulates the urban planning (including the reasons, contents and plan for the partial adjustment to the urban planning);
- The original or certified copy of the written opinion of the authority in charge of reviewing the urban planning under the regulations after the review and evaluation of the execution of the urban planning (with regard to any detailed planning of an investment project on construction, a certifies true photocopy of the written opinion of the People's Committee of such district about the partial adjustment to the detailed planning after the owner gives reasons and makes adjustments is required);

- A certified true photocopy of the Decision on the approval for the urban planning project that needs partial adjustment;
- The original or certified true photocopy of the written opinion of the residential community living in the area whose urban planning needs partial adjustment and surrounding areas that are directly affected;
- Certified true photocopies of the relevant documents (if any);
- The designs include (the scales of the maps of the partial adjustments are conformable to ones of the maps of the approved urban planning projects):

**+ With regard to the partial adjustment to an area, one or more than one section:**

- \* Photocopies of the planning maps of the approved urban planning project;
- \* The maps of the location, section boundaries and area that needs partial adjustment (which is part of the map of the approved overall planning);
- \* The map of the approved overall planning conformable with the adjusted plan (displaying only the area that needs partial adjustment and surrounding areas to evaluate the harmony of the space organization, architectural landscape and the connection between the technical infrastructure and social infrastructure in such area);
- \* The maps of the traffic planning, redline boundaries, construction boundaries and other infrastructure system planning including the designs similar to those for the formulation of the new planning conformable with the adjusted plan within the area that needs partial adjustment (if such adjustment leads to the adjustment to traffic planning and infrastructure system planning).

*(The location maps and planning map of the area that needs adjusting can be displayed in one design according to the scale of the area that needs partial adjustment).*

A compact disc including the written request, designs, plan for the partial adjustment to the urban planning

**+ With regard to the partial adjustment to a plot of land, a block (other than the those for which Planning permits are required)**

- \* A photocopy of the map of the land-use planning of the approved urban planning project;
- \* The location map of the plot of land or block that needs partial adjustment which is part of the approved planning map of the total area.
- \* The original or certified true photocopy of the current topographic map (integrating with the cadastral map) specifying the location and boundaries of the plot of land or block that needs partial adjustment on scale of 1:200- 1:500.

A compact disc including the written request, designs for the location and current conditions of the plot of land or block that needs partial adjustment.

**2. Number of dossiers:**

- **With regard to the partial adjustment to an area, one or more than one section:** prescribed in Clause 4 Section IX of this Guidance.
- **With regard to the partial adjustment to a plot of land or block** (which is not issued with the Planning Permit): 02 dossiers (including 17 maps of the current conditions, location of the plot of land or block)

**Note:**

- *The written request must include the report, written description of the partial adjustment to the urban planning (in accordance with the regulations in Chapter II Decision No. 28/2011/QĐ-UBND of the People's Committee of Ho Chi Minh city, especially specifying the provision of technical infrastructure and social infrastructure at the plot of land or block that needs partial adjustment).*
- *The title blocks on the designs are similar to those on the designs for the formulation of the urban planning project (relevant agencies shall sign and stamp in such title blocks).*
- *The dossier of the partial adjustment to a plot of land in the planning area is compiled under the regulations of the People's Committee of Ho Chi Minh city on the issuance of the Planning Permit (mentioned in Section VI of this Guidance).*

**V. Components of dossier of agreement on total area of major infrastructure constructions and route directions, route plans (formulation or general adjustment):**

**1. Agreement on total area of investment projects on major infrastructure constructions: power stations, sewage treatment stations, water supply stations, waste transfer stations, waste treatment plants...**

- The number and components of dossiers are similar to those of the dossiers for the assessment and approval for the tasks and detailed planning projects (with regard to the investment projects on construction whose area is equal to or more than 5 hectares) or those of the dossiers for the approval of the total area-plan for the construction architecture (with regard to the investment projects whose area is less than 5 hectares) which are prescribed in Clause 3 Section I, Clause 5 Section II and Section III of this Guidance. With regard to the agreement dossiers of the total area of the major infrastructure constructions, the orthographic projections of the area in the vertical plane and horizontal plane are not required.

**2. Agreement on directions with regard to construction routes such as traffic routes, water supply pipelines, drainage routes, embankment pipelines, electricity routes, communication routes, gas pipelines ...**

**a. Components of a dossier:**

- A written request of the owner (or of the authority assessing the investment project);
- A general written description;
- A collection of designs including:
  - + The map displaying the route directions on the map of the current conditions on a scale of 1:2000-1:10.000;
  - + The map displaying the route directions on the map of land-use planning on a scale of 1:2000- 1:10.000;
- A compact disc including the written description and designs.

**b. Number of dossiers: prescribed in Clause 3 Section IX of this Guidance.**

**3. Agreement on plans for routes with regard to construction routes such as traffic routes, water supply pipelines, drainage routes, embankment pipelines, electricity routes, communication routes, gas pipelines ...**

**a. Components of a dossier:**

- A written request of the owner (or of the authority assessing the investment project);
- A certified true photocopy of the written agreement on the directions of the routes;
- A collection of designs including:
  - + Photocopies of the maps of the directions of the routes that have been agreed;
  - + The map displaying the plans for the route directions drawn on the map of the current conditions on a scale of 1:500;
  - + The map displaying the route directions drawn on the map of land-use planning on a scale of 1:500 (if any);
- A compact disc including the written description and designs.

**Note:** *In case of adjustments, the written agreement and agreed designs are required.*

**b. Number of dossiers: prescribed in Clause 3 Section IX of this Guidance.**

**VI. Components of application dossiers for issuance of Planning permits:**

A dossier includes:

- A written request for the issuance of the Planning permit, including the targets for the use of urban planning land, investment contents, project scale and total investment (using form);
- The diagram of the location, scope, boundaries defined by the current location map of the plot of land on a scale of 1:500- 1:200 (if the area of such plot of land is more than 5 hectares, the scale of 1:2000-1:1000 can be applied) drawn by a legal entity.
- A report on the legal entity and financial capacity of the owner of the project. + The original or certified true photocopy of the written appointment as the owner of a competent authority (This document is sufficient in case of the investment project funded by the State budget);

**Note:** *If the investment projects on the construction have had the valid documents providing the information about the planning (or written approval for the targets for the planning architecture) issued by the competent authorities, it is not required to follow the procedures for the issuance of the Planning permits.*

## **VII. Components of application dossiers for issuance of Planning certificates:**

A dossier includes:

- A written request for the issuance of the Planning certificate (using form);
- The location diagram of the area or plot of land by the current location map on a scale of 1:1000- 1:2000 (if its area is more than 5 hectares), scale of 1:5000 (if its area is equal to or less than 5 hectares) drawn by a legal entity.

## **VIII. The components of dossiers transferred to provincial Department of Planning and Architecture by the People's Committee of districts, management boards of the functional urban areas, provincial Departments and regulatory authorities to give written consensus.**

### **1. With regard to application dossiers of urban planning (tasks and projects), specific urban design:**

A dossier includes:

- A written request of the People's Committee of the district or management board of the functional urban areas;
- The prescribed application dossier of the assessment and approval for the tasks and detailed planning project.

### **2. With regard to application dossiers of approval for total area designs- plans for construction architecture:**

A dossier includes:

- A written request of the People's Committee of the district, management board of the functional urban areas;
- The prescribed application dossier of the approval for the total area design- plan for construction architecture.

### **3. With regard to application dossiers for issuance of Planning permits:**

A dossier includes:

- A written request of the People's Committee of the district, management board of the functional urban areas;
- The prescribed application dossier of the issuance of the Planning permit.

*(The People's Committees of districts, management boards of the functional urban areas must review the application dossiers and state the contents that need the consensus of the provincial Department of Planning and Architecture in the written requests (not the all of the contents of the planning or plans for total area design, construction architecture). After the provincial Department of Planning and Architecture gives the consensus, the application dossiers shall be assessed, decided or approved.*

### **4. With regard to application dossiers related to urban technical infrastructure projects:**

A dossier includes:

- A written request of the provincial Department or regulatory authority;
- All of the relevant designs.

## **IX. Number of application dossiers of urban planning; specific urban design, total area designs- plans for construction architecture (formulation and adjustment):**

In order to save time and money for the printing of collections of designs of the agencies that formulate the urban planning, specific urban design, total area designs- plans for construction architecture (due to adjustments to the application dossiers during the assessment); the number of the application dossiers and process of the receipt of the dossiers shall be implemented as follows:

### **1. Dossiers of tasks and urban planning plan, specific urban design (formulation and general adjustment):**

- First submission: 02 dossiers.
- After the dossiers are adjusted according to the guiding documents of the provincial Department of Planning and Architecture (if any): 02 written descriptions and 02 collections of designs (enclosed with 02 documents on the completion of the dossiers of the agency formulating the urban planning and specific urban design).

- After the provincial Department of Planning and Architecture signs the Written request for the approval of the People's Committee of Ho Chi Minh city: 15 written descriptions, 15 collections of designs (in case no adjustment is requested: 17 written descriptions and 17 collections of designs) and 01 compact disc including the adjusted designs.

## **2. Dossiers of projects on urban planning, specific urban design (formulation and overall adjustment):**

- First submission: 02 dossiers. (Including 07 written descriptions and 04 collections of designs)

- After the dossiers are adjusted according to the guiding documents of the provincial Department of Planning and Architecture (if any): 02 descriptions and 02 collections of designs for the planning plan (enclosed with 02 documents on the completion of the dossiers of the agency formulating the urban planning and specific urban design).

- After the provincial Department of Planning and Architecture signs the Written request for the approval of the People's Committee of Ho Chi Minh city: 15 written descriptions, 15 collections of designs for the planning plan (in case no adjustment is requested: 17 written descriptions and 17 collections of designs for the planning plan) and 01 compact disc including the adjusted designs.

## **3. Dossiers for the approval for designs of total areas- plans for construction architecture, agreement dossiers for route directions and routes plans of construction routes (formulation and general adjustment):**

- First submission: 02 dossiers.

- After the dossiers are adjusted according to the guiding documents of the provincial Department of Planning and Architecture (if any): 04 collections of designs for the total area plan and 01 compact disc including the adjusted designs (enclosed with 01 document on the completion of the dossiers in case of the request for the adjustment of the provincial Department of Planning and Architecture).

## **4. Dossiers of partial adjustment to urban planning and specific urban design (partial adjustment to a block; one or more than one sections):**

- First submission: 02 dossiers.

- After the dossiers are adjusted according to the guiding documents of the provincial Department of Planning and Architecture (if any): 02 collections of designs for the adjusted planning plan (enclosed with 02 documents on the completion of the dossiers of the agency formulating the urban planning and specific urban design).

- After the provincial Department of Planning and Architecture signs the Written request for the approval of the People's Committee of Ho Chi Minh city: 15 written collections of designs for the adjusted planning plan (in case no adjustment is requested: 17 collections of designs for the adjusted planning plan and 01 compact disc including the adjusted designs).

## **X. Other instructions:**

- With regard to the transition:

The organization and individual that send written requests for the provision of the targets of architecture and planning (provision of the information about the planning) to the authorities in charge of urban planning before July 23, 2011 (the effective date of the Decision No. 48/2011/QD-UBND and Decision No. 49/2011/QD-UBND dated July 12, 2011 of the People's Committee of the Ho Chi Minh city) shall be dealt with according to the previous regulations. From the July 23, 2011, the issuance of the Planning Certificate or Planning Permit shall be considered and dealt with pursuant to the Decision No. 48/2011/QD-UBND and Decision No. 49/2011/QD-UBND of the People's Committee of Ho Chi Minh city (the planning that needs partial adjustment shall be implemented pursuant to the Decision 28/2011/QD-UBND dated May 19, 2011 of the People's Committee of Ho Chi Minh city)

- The topography and cadastral maps that facilitate the management of the abovementioned urban planning must be provided by the authorities in charge of maps or drawn by the regulatory authorities in charge of survey and measurement. Those maps must satisfy the requirements for the quality in accordance with the regulations on the measurement of maps.

- With regard to the zoning, detailed planning project on a scale of 1:2.000, the topography maps can be integrated with the cadastral maps to display: the current conditions of landscape architecture and evaluation of construction area; current conditions of the infrastructure system; overall planning, redline boundaries, construction boundaries, other infrastructure planning and environment.

- With regard to the detailed planning project, the topography maps can be integrated with the cadastral maps to display: the current conditions of landscape architecture and evaluation of construction area; current

conditions of the infrastructure system; overall planning, redline boundaries, safety corridors of the infrastructure constructions; infrastructure system planning and environment.

- The written descriptions and designs of the tasks and urban planning projects must be suitable to each type of planning and comply with the regulations of the Decree No. 37/2010/ND-CP dated April 07, 2010 of the Government, Circular No. 10/2010/TT-BXD dated August 11, 2010 and Circular No. 19/2008/TT-BXD dated November 20, 2008 (with regard to the planning of industrial complexes and zones) of the Ministry of Construction.

- The architectural symbol packet used for creating the designs for the urban planning must comply with the Decision No. 21/2005/QD-BXD dated July 22, 2005 of the Minister of Construction.

- The written descriptions, designs, Management regulations conformable with the urban planning projects-specific urban design projects of the dossiers of tasks, urban planning projects, specific urban design projects must be signed and stamped by the authorities formulating the planning (or the owners in case of detailed planning on the investment projects on the construction), agreement authorities and assessment authorities. If any urban planning, urban designs facilitating the urban administration that are not created by the People's Committee of the districts, the management boards of the functional urban areas but located within the management boundaries of any unit, such unit shall sign and stamp on the description, designs for tasks, urban planning project and Management regulation conformable with the urban planning project-specific urban design project to show the agreement (the specific planning, design for the total area- plan for the construction architecture, construction investment projects are not required to be signed and stamped by the agreement authorities).

The provincial Department of Planning and Architecture shall provide the local forms for the title blocks on the designs, covers of the written descriptions, Management regulations conformable with urban planning projects (of any type) – specific urban design projects.

- The Drafts of the Management regulations conformable with urban planning projects must be produced in accordance with the regulations in Article 35 of the Law on urban planning and the appendix enclosed with the Circular No. 10/2010/TT-BXD dated August 11, 2010 of the Ministry of Construction.

- Due to some technical defects in the printing of some forms, the Provincial Department of Planning and Architecture has rectified the content: "number of stories" in the forms for "Planning Certificate" and "Planning Permit": attached to the Decision No. 48/2011/QD-UBND and Decision No. 49/2011/QD-UBND dated July 12, 2011 of the People's Committee of the Ho Chi Minh city as follow: the line: "**excluding the mezzanines and stair roof floor-if any**" is deleted (only write "**....floors (including the floors in accordance with QCVN 03: 2009/BXD**") to be conformable with the TCVN 03:2009/BXD.

- The opinions of the residential communities about the urban planning (tasks, formulation and adjustment to the urban planning projects), issuance of the Planning permit shall be collected in accordance with the regulations in Article 20, Article 21 of the Law on urban planning , regulations of the People's Committee of Ho Chi Minh city and other specific instructions of the Ministry of Construction.

- The People's Committee of districts, the management boards of the functional urban areas shall cooperate with the provincial Department of Planning and Architecture in implementing and providing guiding documents on the components of the dossiers within their authority according to this Guidance.

- Any difficulty or obstacle that arises during the implementation of this Guidance should be reported to the Department of Planning and Architecture for consideration. In case the Ministry of Construction issues new guiding documents related to the contents of this Guidance, the Department of Planning and Architecture shall propose suitable amendments.

This Guidance shall be implemented as of the signing date and replace the Announcement No. 2840/TB-SQHKT dated October 12, 2010 of the Department of Planning and Architecture of the instructions on the components of the applications for the assessment and approval for the tasks, urban planning project and urban design in the Ho Chi Minh city and the other guiding documents on the components of the applications issued by the Department of Planning and Architecture./.

**PP DIRECTOR  
DEPUTY DIRECTOR**

**Nguyen Thanh Toan**

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