

Request to Orbortor (OBT) to Stop Construction, Excavation, and Damage - Non-Compliance with EIA, Ministerial Regulation 48, and Police Report

Document Date: November 6, 2025 (27 September 2568 BE)

Submitted to: Mayor of Tambon Administrative Organization, Choeng Thale

From: P. Sibsiri (Nang Khunbut Ramyaklin)

Position: Damaged Party and Complainant Homeowner

EXECUTIVE SUMMARY

This document is a formal complaint submitted to the Choeng Thale Tambon Administrative Organization (OBT) regarding illegal construction activities by **The Friends Condominium** and **Sun Hill Hotel** projects in Cherngtalay, Thalang District, Phuket Province. The complainant, a neighboring property owner, alleges that the developers have conducted extensive excavation and construction work that violates multiple legal requirements and has caused significant damage to surrounding properties.

Key Issues Raised:

- Environmental Impact Assessment (EIA) Violations:** The projects allegedly failed to comply with the approved EIA report submitted under the SMART EIA system, particularly regarding excavation depth limits and protective measures for adjacent properties.
- Non-Compliance with Ministerial Regulation 48:** The construction activities violate regulations governing hillside development and environmental protection in sensitive areas.
- Unauthorized Excavation:** The developers conducted excavation work on November 6, 2025, reaching depths that caused soil erosion and structural damage to neighboring properties, including the complainant's home at Moo 6, Layen, Layan, Choeng Thale.
- Property Damage:** The excavation has resulted in dangerous soil erosion, landslides, and structural instability affecting multiple neighboring residences, creating immediate safety hazards.
- Police Report Filed:** The complainant has filed a formal police complaint (Case Number CC71085256805116M) on September 27, 2025, documenting the damages and requesting legal action.

Requested Actions:

The complainant requests that the OBT immediately:

- Issue a stop-work order for all construction and excavation activities
- Investigate the EIA compliance violations
- Enforce Ministerial Regulation 48 requirements
- Coordinate with relevant authorities to ensure proper remediation and compensation
- Take legal action against the developers for unauthorized and damaging construction practices

The document includes photographic evidence showing extensive excavation work, soil erosion, damaged retaining structures, and ongoing construction activities that pose risks to public safety and neighboring properties.

FULL TRANSLATION

Page 1

Document Number: 50/1530

Tambon Rawai Subnakhon Nakhon 073

Location: Phuket Road, Amphur Buri, Phuket Province 83110

Date: September 27, 2568 BE (2025)

Subject: Request for Investigation of The Friends Condominium and Sun Hill Hotel Projects Regarding Violations of Cherngtalay Subdistrict (Item 9) and Failure to Comply with Excavation Regulations in the Project Area

To: Mayor of Tambon Administrative Organization, Choeng Thale

Reference:

1. Complaint from the damaged party and complainant homeowner (Item 1) regarding the **Request for Investigation of The Friends Condominium and Sun Hill Hotel Projects** of Buriram Chinsiri Company Limited, Land Deed No. 27, dated September 27, 2568 BE (copy attached, Choeng Thale)
2. Meeting on November 6, 2025, at Phuket Provincial Hall to discuss the matter regarding excavation that violated regulations and caused damage to the properties and residences of Moo Ban Layen, Layen Subdistrict, Buriram Subdistrict, Choeng Thale Subdistrict, and Moo Ban Layen, as per the October schedule dated November 6, 2025.

Attachments:

1. Complaint from the damaged party and complainant homeowner (Item 1) regarding the **Request for Investigation of The Friends Condominium and Sun Hill Hotel Projects** of Buriram Chinsiri Company Limited, Land Deed No. 27, dated September 27, 2568 BE (copy attached, Choeng Thale), totaling 6 attachments
2. Report of the meeting held at the Choeng Thale Subdistrict Administrative Organization regarding the excavation work that violated regulations and caused damage to properties and residences, dated September 4, 2025, totaling 5 attachments
3. Police report from November 1, 2025, attachment 1
4. Police report from November 6, 2025, attachment 1
5. Photographs showing the damage caused by excavation that violated regulations and damaged the properties and residences of Moo Ban Layen, Layen Subdistrict, Buriram Subdistrict, Choeng Thale Subdistrict, and Moo Ban Layen

According to **Items 1 and 2** and **the attachments mentioned above**, the excavation work has violated regulations and caused damage to properties and residences, and the developers have not complied with the regulations. Therefore, based on **Items 3 and 4**, I hereby request your investigation. The developers have clearly violated the regulations stated in the "**Policy on Hillside Development and Environmental Protection, Choeng Thale Subdistrict, as stated in the EIA report.**" The developers have excavated beyond the approved depth, causing damage to the environment. Due to the severity of the damage, as evidenced in **Attachment 5** and the lack of compliance with regulations, I request that the Tambon Administrative Organization take action to ensure that the developers comply with the approved EIA regulations and halt the project's construction activities and excavation.

Page 2

Regarding **Item 2**, the meeting was held to discuss the project's failure to comply with regulations and the developers' lack of response to complaints and concerns raised by affected residents. Despite receiving multiple complaints, the developers have continued their excavation work without proper authorization. The project has not obtained the necessary approvals, and the excavation has caused significant damage to the surrounding area. The developers have not complied with the EIA requirements, and their actions have resulted in soil erosion and structural damage to neighboring properties.

Furthermore, the developers have proceeded with excavation work that violates the approved plans. The project's EIA report, which was approved on September 27, 2568 BE, clearly states that excavation should not exceed certain depths. However, as evidenced by the photographs and police reports, the developers have excavated far beyond the approved limits, causing severe damage to the area. This has resulted in landslides and erosion that threaten the safety of nearby residents.

Therefore, I am requesting that the Choeng Thale Tambon Administrative Organization take immediate action to:

1. Issue a stop-work order for The Friends Condominium and Sun Hill Hotel projects
2. Investigate the violations of the EIA regulations
3. Ensure compliance with Ministerial Regulation 48
4. Coordinate with relevant authorities to address the damage caused
5. Take legal action against the developers for their unauthorized activities

The situation is urgent, as the continued excavation poses a serious risk to public safety and the environment. I respectfully request your prompt attention to this matter.

Respectfully submitted,

P. Sibsiri

(Nang Khunbut Ramyaklin)

Damaged Party and Complainant Homeowner

Page 3 - Attachment 1 (6 Attachments Total)

Document Number: 50/1530

Tambon Rawai Subnakhon Nakhon 073

Location: Phuket Road, Amphur Buri, Phuket Province 83110

Date: September 27, 2568 BE (2025)

Subject: Request for Investigation of The Friends Condominium and Sun Hill Hotel Projects of Buriram Chinsiri Company Limited

To: Mayor of Tambon Administrative Organization, Choeng Thale

Reference:

1. EIA report type submitted through the SMART EIA system for The Friends Condominium and Sun Hill Hotel projects of Buriram Chinsiri Company Limited
2. Complaint from the damaged party and complainant homeowner (Item 2) regarding excavation work conducted without proper authorization at the project site, dated September 5, 2568 BE (copy attached, Choeng Thale)

Attachments:

1. Photographs showing the excavation work that violated regulations and caused damage to the front area, and failure to comply with protective measures for adjacent properties (hillside development regulations), totaling 5 attachments

2. Report regarding the developers' failure to comply with the EIA requirements, totaling 65 attachments
3. Regulations regarding hillside development violations and failure to comply with protective measures, totaling 9 attachments
4. Report from Choeng Thale Subdistrict Administrative Organization regarding the excavation work that violated regulations, dated September 4, 2025, totaling 5 attachments

Items 1 and 2 and the attachments demonstrate that the developers have failed to comply with the regulations (hillside development regulations) and have not implemented proper protective measures for adjacent properties. **The developers have violated the EIA requirements by conducting unauthorized excavation work (Attachment 1)**, which has resulted in damage to neighboring properties. The developers have also failed to comply with the **regulations regarding hillside development and protective measures for adjacent properties (Attachments 2 and 3)**. Based on the evidence presented in **Attachment 5**, the excavation work has caused significant damage to the surrounding area, including damage to properties belonging to The Friends Condominium and Sun Hill Hotel projects of Buriram Chinsiri Company Limited. The developers have also failed to comply with the regulations and have not obtained the necessary approvals.

Therefore, I respectfully request that the Tambon Administrative Organization investigate this matter and take appropriate action to ensure that the developers comply with the approved EIA regulations and halt all construction and excavation activities until proper remediation measures are implemented and the necessary approvals are obtained, in accordance with the regulations regarding hillside development and environmental protection, Ministerial Regulation 2567 BE.

Respectfully submitted,

P. Sibsiri

(Nang Khunbut Ramyaklin)

Damaged Party and Complainant Homeowner

Page 4 - Attachment 1 (Page 2/6)

Photographs showing excavation work that violated regulations and caused damage to the front area, and failure to comply with protective measures for adjacent properties (hillside development regulations)

[Photograph dated September 22, 2568 BE (2025)]

[Image shows extensive excavation work with heavy machinery (excavators) digging deep trenches adjacent to residential properties. The excavation has created steep, unstable soil

walls next to the property labeled "Moo Ban Layen, Layen, Layan" (Village). The depth and proximity of the excavation clearly pose risks to the neighboring structures.]

Page 5 - Attachment 1 (Page 3/6)

[Photograph dated September 22, 2568 BE (2025)]

[Image shows continued excavation work with heavy machinery creating deep trenches. The excavation has removed significant amounts of soil, creating unstable conditions adjacent to the property labeled "Moo Ban Layen, Layen, Layan." The photograph demonstrates the extent of the excavation and the potential danger to neighboring properties.]

Page 6 - Attachment 1 (Page 4/6)

[Diagram/Site Plan]

The image shows a site plan with the following key elements:

- **EIA Report:** The approved EIA indicates specific requirements regarding excavation depth and protective measures
- **Data showing non-compliance:** Tables comparing approved plans versus actual construction activities
- **Site location:** Shows "Moo Ban Layen, Layen, Layan" and the project areas divided into Phases A, B, C, and D
- **Scale:** 1:500
- **Reference number:** Figure 2.10-2 showing the site plan and excavation areas

The diagram illustrates that the actual excavation work does not comply with the approved EIA report, particularly regarding the depth and extent of excavation near adjacent properties.

Page 7 - Attachment 1 (Page 5/6)

Section 2.10 - Summary of Violations

The **Friends Condominium project, Khaoyai Phonsri, Khon Kaen Province (The Friends condominium)** has violated the hillside development regulations. The project is not located on land designated for condominium development in an area that is classified as a hillside preservation zone and conservation area, which has restrictions on development activities from 9:00-21:50 hours. The project area is located on a steep slope (MSL) and the project site includes forested areas with steep terrain, sensitive ecosystems, and wildlife

habitat. The project has violated regulations by conducting unauthorized excavation work on a total project area of **23,092.17 square meters** and has violated regulations by excavating to a depth of **90.00 square meters**, with a total excavation area of **23,002.17 square meters**. The excavation has resulted in significant soil removal at Land Deed No. 71806, located at Moo 1, Tambon 6, Choeng Thale Subdistrict, Thalang District, which has caused landslides. The excavation work has removed approximately **360 meters** (Land Deed No. 71806, **Landscape Phase 1**) and has violated regulations by conducting unauthorized excavation work at Land Deed No. 71806 (reference **Figure 2.10-1**).

For comparison and analysis of the excavation work and violations of the regulations for The Friends Condominium project, Khaoyai Phonsri, Khon Kaen Province (The Friends condominium) of Buriram Chin Osiri Company Limited, located at Moo 6, Choeng Thale Subdistrict, Thalang District, which has caused landslides, the excavation work has violated regulations according to **Article 7** and **Article 1**, totaling **4 violations**. The project has failed to comply with the regulations regarding excavation work and hillside development, totaling **12 violations** (reference **Landscape Phase 5**). The project has failed to comply with the excavation regulations, and the excavation work has exceeded the approved depth by **3.00 meters**. The project has also failed to comply with the regulations by conducting excavation work at **2 locations** (**Landscape Phase 5**), which violates the regulations regarding hillside development and environmental protection according to **Ministerial Regulation 2566 BE**.

Point 5: The developers have violated multiple regulations and have failed to comply with the requirements for hillside development and environmental protection, and have violated the regulations regarding excavation work and hillside development.

Buriram Iok Unser Company Limited [Page] 2-217

Page 8 - Attachment 1 (Page 6/6)

Report on the Environmental Impact Assessment Process and Violations

The Friends Condominium Project, Khaoyai Phonsri, Khon Kaen Province (The Friends condominium)

Section 2 - Project Description

The project involves the construction of two buildings: **The Friends Condominium** and **Sun Hill Hotel (Sun Hills Hotel)**. The construction will use **Light Concrete, 3 layers**, with retaining walls and protective structures, and **Aluminium Sheet, 3 layers**, with retaining walls and protective structures. The construction work will be conducted in phases, and **Sun Hill Hotel (Sun Hills Hotel)** will use **Light Concrete, 3 layers**, with retaining walls, and **Aluminium Sheet, 3 layers**, with retaining walls and protective structures. The construction work will be conducted in phases.

Therefore, in order to comply with the regulations regarding excavation work in the project area and to ensure proper protective measures for adjacent properties, the developers must obtain the necessary approvals for the project area and comply with the regulations (as evidenced by the project area violations for 2 projects, reference **Figure 2.11-2**).

The project has failed to comply with the approved construction plans and has conducted unauthorized excavation work in the project area. The developers have failed to comply with the EIA requirements and have conducted excavation work that violates the approved plans.

[Blue highlighted box:]

The construction work in the project area does not comply with the approved EIA report

(as evidenced by the details that do not comply with Attachment 2)

Page 9 - Attachment 2 (Page 1/1)

Document Number: 14/2568

Document Number: 98

Dated: November 1, 2025

Office of the Mayor and Administrative Services

Report on Meeting Regarding Environmental Violations

Attachment 4 - Meeting Minutes, totaling 1 attachment

Meeting Date: October 2568 BE, October 2568 BE, October 2568 BE

No.	Date, Month, Year	Details
5	September 27, 2568 BE, 13:51 hours	Nang Khunbut Ramyaklin, aged 53 years, ID card number 50/183, Moo 2, Khao Phra Thaeo National Park - Srisoonthorn, Phuket Province, Land Deed No. 0839399442, has submitted a complaint regarding excavation work conducted by a construction company that has violated regulations and caused damage to her property at 77 Moo 6, Choeng Thale Subdistrict, Thalang District, Phuket Province. The excavation work has caused soil erosion and damage to her property, and the developers have failed to comply with the regulations. The complainant has submitted photographs and evidence showing the damage caused by the excavation work, which has created dangerous conditions and threatens the safety of her property. The excavation work has been conducted without proper authorization and has violated the regulations regarding hillside development and environmental protection. The complainant requests that the authorities take immediate action to stop the construction work and ensure that the developers comply with the regulations for The Friends Condominium and Sun Hill Hotel projects, and that proper remediation measures are implemented.
		According to the complaint, the excavation work has

		violated Ministerial Regulation 77, Article 6, dated November 1, 2025, and the complainant has submitted evidence including photographs dated September 22, 2568 BE. The complainant has also submitted a police report (reference number: CC71085256805116M) and has requested that the authorities investigate the matter. Contact numbers: Tel. 0638855530 and Tel. 0763256301. Case reference number: CC71085256805116M
--	--	---

[Document includes official stamps and signatures]

Document issued: September 27, 2568 BE, 13:51 hours

Location: Tambon Administrative Organization, Choeng Thale

Page 10 - Attachment 3 (Page 1/1)

[Image shows an official government document with the Thai national emblem]

Office of the Mayor and Administrative Services

Report on Meeting Regarding Environmental Violations and Construction Issues

Meeting Date: October 2568 BE, October 2568 BE, October 2568 BE

No.	Date, Month, Year	Details
3	November 1, 2568 BE, 11:20 hours	Nang Sirisri Phonphrut, aged 42 years, ID card number 3832001006286, Moo 7, Moo 1, Srisoonthorn, Thalang District, Phuket Province, Land Deed No. 0816913760, has submitted a complaint regarding excavation work conducted by a construction company that has violated regulations and caused damage to her property. The excavation work has caused soil erosion and structural damage, and the developers have failed to comply with the regulations regarding hillside development and environmental protection.
		The complainant has submitted a police report (reference number: EV71085256805740M) and has requested that the authorities investigate the matter. Contact numbers: Tel. 0638855530 and Tel. 0763256301. Case reference number: EV71085256805740M

[Document includes official stamps and signatures]

Document issued: November 1, 2568 BE, 11:28 hours

Location: Tambon Administrative Organization, Choeng Thale

Page 11 - Attachment 4 (Page 1/1)

[Image shows an official government document with the Thai national emblem]

Office of the Mayor and Administrative Services

Report on Meeting Regarding Environmental Violations and Construction Issues

Meeting Date: October 2568 BE, October 2568 BE, October 2568 BE

No.	Date, Month, Year	Details
4	November 6, 2568 BE, 15:31 hours	Complaint number 3, dated November 1, 2568 BE, 11:20 hours. Nang Khunbut Ramyaklin, aged 53 years, ID card number 50/183, Moo 2, Khao Phra Thaeo, Srisoonthorn, Thalang District, Phuket Province, Land Deed No. 0839399442, has submitted additional evidence regarding the excavation work that has violated regulations and caused damage to her property. The excavation work has continued despite previous complaints, and the developers have failed to implement proper protective measures. The complainant has submitted photographs and evidence showing continued excavation work and damage to her property.
		The complainant has submitted a police report (reference number: EV710852568058530) and has requested that the authorities take immediate action. Contact numbers: Tel. 0638855530 and Tel. 0763256301. Case reference number: EV710852568058530

[Document includes official stamps and signatures]

Document issued: November 6, 2568 BE, 15:31 hours

Location: Tambon Administrative Organization, Choeng Thale

Page 12 - Attachment 5 (Page 1/3)

Photographs showing damage caused by excavation work that violated regulations at Moo Ban Layen, Layen, Layan, and Buriram Layen, Layen, Layan, Phuket, Choeng Thale

[First photograph shows severe soil erosion and landslide damage. The excavation has caused the soil to collapse, exposing tree roots and creating dangerous unstable conditions. The retaining wall or slope has failed, with significant soil loss visible.]

[Second photograph shows heavy excavation equipment (Komatsu excavator) working in a deep excavation pit. The excavation has created steep, unstable walls adjacent to residential properties. Workers are visible in the excavation area, and the label "Moo Ban Layen, Layen, Layan" indicates the affected residential area.]

Page 13 - Attachment 5 (Page 2/3)

[First photograph shows the excavation site from street level, with traffic cones visible on the road. The excavation has removed significant amounts of soil adjacent to residential properties labeled "Moo Ban Layen, Layen, Layan." People and vehicles are visible on the road, indicating the proximity of the construction work to public areas.]

[Second photograph shows construction work with a tower crane visible. The excavation area is labeled "Moo Ban Lok Lik, Phuket Province." A red circle highlights foundation piles or structural elements being installed in the excavation area. The photograph demonstrates that construction work is actively ongoing despite the complaints and violations.]

Page 14 - Attachment 5 (Page 3/3)

[Photograph shows heavy excavation equipment (excavator) working in a deep excavation pit. The excavation has exposed soil layers and created unstable conditions. A purple circle highlights areas where soil erosion and structural damage have occurred, including exposed tree roots and damaged retaining structures. The excavation is adjacent to the property labeled "Moo Ban Layen, Layen, Layan." The photograph clearly demonstrates the extent of the excavation work and the damage caused to the surrounding area.]

END OF TRANSLATION