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Officials order all construction of Nebu hotel halted

PHUKET: Local residents in the Pasak Soi 6 area of Cherng Talay have successfully pressured officials to review the Environmental Impact Assessment (EIA) process of a proposed Nebu hotel project, citing concerns over transparency, environmental effects, and community well-being.

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By Natnaree Likidwatanasakun

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Photo: Natnaree Likidwatanasakun

Any construction at the site has been suspended pending the EIA review.

During a visit to the site on Monday (Feb 24), Phuket MP Thitikan Thitipruethikul, who also serves as the Committee Spokesperson for the House of Representatives Committee on Land, Natural Resources and Environment, expressed dire concerns over how local officials approved the EIA despite the project being located in a 'Yellow Zone'.

"Yellow Zones are meant for low-density residential use," Mr Thitikarn told The Phuket News.

"Allowing a high-rise hotel in this area is illegal. This decision not only violates zoning laws but also sets a dangerous precedent for future developments in Phuket," he said.

"If this case were Bangkok, a project on less than a rai of land wouldn't even qualify for approval. It wouldn't meet the government's own regulations," said Poonsak Chanchampi, Chairman of the House Committee.

"But in Phuket, the rules vary by local government. Some areas allow it, some don't. Some developments move forward without public hearings or proper urban planning.

"There's no structured approach to managing rapid development, and that's why we keep seeing these problems," he added.

"The root of this issue lies in how permissions are granted. If we truly want to prevent cases like this from happening again, we need to shift the approval process to the central government for proper assessment," Mr Poonsak said.

"This would help eliminate 'conflicts of interest' [sic]," he noted.

"But when permission is given at the provincial level, we see the same problems repeatedly, decisions made without community input, without a systematic process, and often influenced by vested interests," Mr Poonsak explained.

Mr Thitikan, who has already presented the Nebu hotel problem to Parliament, explained, "In Phuket, 'Yellow Zone' regulations typically restrict buildings to two to three stories [8-12 metres), with strict limitations on density and commercial activity.

"The approval of a seven-story hotel raises serious legal questions about the enforcement of zoning laws and the accountability of local authorities," he said, without specifically accusing any particular persons of wrongdoing.

LOCAL FIGHT

Local residents argue that the hotel project violates multiple zoning and environmental regulations.

Among the key concerns presented to the House of Representatives Committee on Land, Natural Resources and Environment during the site visit on Monday were:

1. Height and density issues, as the proposed 23-metre, seven-story hotel sits on a small 1,200-square-metre plot in a Yellow Zone, designated for low-density residential use.
2. The hotel plans include only 20 parking spaces for 89 rooms, creating potential traffic congestion in an area already struggling with narrow roads and inadequate drainage.
3. Environmental and public health risks. "The community fears flooding due to poor water management, noise pollution from a rooftop bar and discomfort from air compressors expelling hot air into residential areas," one resident said.

"The EIA report claims 70% public approval but has failed to produce names or addresses. Residents conducted their own survey, where 100% of respondents opposed the project," said one local resident.

"We just want a proper impact assessment," the resident added.

MOUNTING PRESSURE

Manoch Panchalad, Chief of the Cherng Talay Tambon Administration Organisation (OrBorTor), arrived at the site to greet the house committee members, but left after about 10 minutes to attend to other matters.

He left Aphichat Deekongsiang, Director of Cherng Talay OrBorTor's Engineering Division, to answer questions about the project.

Mr Aphichat initially defended the EIA process, but later conceded to reviewing its legitimacy.

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However, after a few minutes answering questions from the high-level officials, he said, "We [Cherng Talay OrBorTor] have taken the community's concerns seriously. We have held three meetings between local residents and the business operator, leading to significant adjustments in the hotel's design, such as reducing the height, decreasing room count, and underground construction while ensuring privacy by removing balconies.

"On public infrastructure, we are actively working to improve roads and utilities, but road widening requires community cooperation through land donations," he said, marking that local residents literally had to donate land in order to make the project pass its own EIA.

"Drainage issues are also being addressed in coordination with the Highways Department," Mr Apichart added, without commenting how the end of the street already floods each year with heavy rains.



"The local residents have pointed out the increased construction will worsen the long-term issue. However, the OrBorTor has confirmed that they will request the transfer of the land to their authority so they can address the flooding problem by building a drainage ditch before the low season," he said.

"Moreover, the road construction currently being carried out by OrBorTor has been confirmed to be completed soon," Mr Apichart said.

Local residents at the site on Monday pointed out that gave little reprieve to them while cement trucks from OrBorTor are already blocking cars from passing.

"Imagine building a hotel and having even more trucks entering such a narrow road," one local resident said.

"Environmental and regulatory compliance remains a priority," Mr Aphichat assured.

"The EIA report has been reviewed, and I confirm that legal standards are met. Concerns about noise and air conditioning will be relayed to the developers, and regulatory mechanisms are in place to address disturbances," he added.

"No construction permit has been issued yet. A fourth meeting on Mar 13 will give residents another chance to voice their concerns before any final decision is made.

"Cherng Talay OrBorTor confirms that no building permit will be granted until the case is fully resolved," he concluded.

ACTION

Following the site visit on Monday, the House of Representatives Committee on Land, Natural Resources and Environment ordered urgent action be taken.

Officials have issued a temporary halt on construction pending EIA review, and an urgent review of the EIA process has been ordered.

The house committee along with local authorities will investigate claims that the EIA was conducted improperly and did not follow due diligence.

The committee has asked Phuket Governor Sophon Suwannarat to follow up on the case as the matter has been escalated to the Phuket Governor's Office, with demands for expedited inspection and a transparent resolution.

The EIA report was sent to Governor Sophon after the Nebu hotel case was [presented in Parliament](#) late last year. However, Governor Sophon has yet to recognise the case or make any public comment about it.

BACKPEDDLE

After hearing the house committee's actions ordered, Mr Aphichat began to cover for Cherng Talay OrBorTor's role in the hotel

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Committee Chairman Mr Poonsak made the decision simple for Mr Apichart.

“Since they cannot redo the EIA without identifying the problem first, a new EIA will be conducted if any mistakes are found,” Mr Poonsak assured.

The Nebu hotel case underscores growing public skepticism toward the EIA process and raises questions about previous questionable approvals.

The local residents affected argued that unchecked development risks long-term harm to Phuket’s urban landscape, environment and tourism reputation.

“Previous incorrect EIA approvals need to be checked and canceled if it’s obvious they should never have been approved in the first place,” one local resident said.

“It’s encouraging to see the Phuket Governor and officials taking this seriously. We just hope this isn’t another empty promise,” another local resident said.

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