



Formal Response to Notice of Non-Renewal of Deed of Licence

A request for procedural fairness, reconsideration and protection of the Ediblescapes Community Edible Forest Garden

14 August 2026

To:

The Mayor and Councillors
Chief Executive Officer
General Manager, City Activation
Recreation Services
Council of the City of Gold Coast

Dear Mayor, Councillors and City representatives,

On 13 August 2026, Ediblescapes Inc. received a formal notice advising that the City had resolved not to renew our Deed of Licence at Country Paradise Parklands, Nerang.

The notice requires Ediblescapes to vacate the site by 14 September 2026 and remove assets, infrastructure, equipment and improvements where required under the Deed.

This decision places the future of the nearly ten-year-old Ediblescapes Community Edible Forest Garden at immediate risk.

Ediblescapes respectfully asks Council to pause implementation of the decision, provide the complete reasons and evidence, allow the organisation a fair opportunity to respond, and urgently consider a proportionate alternative to the loss of the garden.

A living community and ecological asset

For almost ten years, Ediblescapes volunteers have cultivated this public place through thousands of hours of unpaid community work and care.

The garden has become a place where residents, families, students, community organisations and visitors learn about edible biodiversity, healthy soils, food traditions, permaculture, agroecology and shared stewardship.

It is not simply a collection of removable equipment. It is a mature living system comprising fruit trees, perennial food plants, cultivated soils and ecological relationships established over many years.

It cannot be relocated without substantial and potentially irreversible loss.



Allegations without sufficient particulars

The formal notice states only that the decision followed a review of trial and tenancy arrangements as part of the City's sustainability audit process.

It does not provide:

- the sustainability audit or its findings;
- the complete reasons and evidence supporting the decision;
- the identity and authority of the decision-maker;
- the relevant Council resolution, delegated decision or minutes;
- an explanation of whether Ediblescapes was given an opportunity to respond;
- consideration of corrective or proportionate alternatives;
- details of any reconsideration, complaint or review process; or
- identification of the assets or living improvements the City requires to be removed.

An accompanying email refers to:

- environmental and maintenance concerns;
- installation and operation of an "incinerator";
- excavation of a drainage trench;
- installation of storage cabinets in a public picnic shelter; and
- the Nature-Based Tourism Grant application.

These are serious allegations. However, the City has not provided the dates, locations, photographs, inspection findings, correspondence, approval requirements or licence provisions necessary for Ediblescapes to understand and respond properly.

The email presents the matters as a continuing pattern. That characterisation does not acknowledge that several identifiable matters are historical, predate the direct City Deed of Licence, were subsequently addressed, or ended when Ediblescapes was asked to change them.

1. Environmental and cultivation concerns

The City's general reference to environmental and maintenance concerns does not acknowledge how cultivation concerns were addressed during the 2025 licence renewal.

The Deed of Licence commencing on 1 July 2025 incorporated a detailed new provision:

Clause 34 — Cultivation Restrictions within the Licensed Area.

Clause 34 distinguishes between restricted invasive plants and environmental weeds. It prohibits cultivation of restricted invasive plants but expressly permits environmental weeds to be cultivated where there is clear evidence that they are contained and remain strictly within the Ediblescapes licensed area.

The clause requires environmental weeds to:

- be harvested before fruits, bulbs, seeds or other reproductive parts mature and disperse;
- remain confined within garden beds inside the licensed area;



- be managed through regular pruning, harvesting, netting or other appropriate containment measures; and
- be managed in compliance with the *Biosecurity Act 2014*.

This clause demonstrates that the environmental concern was known to the City and expressly addressed through the conditions of the renewed Deed.

Ediblescapes accepted those requirements and understood that they established the agreed framework for managing the relevant plants. Our last direct site contact with a Council inspection officer occurred in June 2025, followed by written communication on 4 June 2025.

The non-renewal notice does not identify:

- any restricted invasive plant allegedly cultivated contrary to clause 34.1;
- any environmental weed found outside the licensed area or garden beds;
- any reproductive material allegedly allowed to disperse;
- any failure to undertake the containment practices required by clause 34;
- any contravention of the *Biosecurity Act 2014*;
- any subsequent inspection or written direction identifying a breach; or
- any opportunity given to Ediblescapes to correct a current concern.

If the City alleges that clause 34 was breached, Ediblescapes asks that it identify the plants, locations, dates, evidence and particular subclauses allegedly breached.

It is incomplete and unfair to refer generally to environmental concerns without acknowledging that Council addressed the issue through clause 34 and without identifying any subsequent non-compliance.

2. The object described as an “incinerator”

The object described in the City’s email as an “incinerator” appears to be a 200-litre metal drum used during four demonstration activities in 2022 to produce biochar through a low-oxygen process.

It was not installed or operated as a waste incinerator.

The activities occurred before the first direct City Deed of Licence was issued to Ediblescapes.

The City has not identified:

- the dates of the alleged activity;
- the applicable approval requirement;
- whether the concern relates to fire, emissions, waste disposal or physical installation;
- any environmental harm caused;
- any inspection or written direction issued at the time; or
- any recurrence after 2022.

Ediblescapes does not accept that describing historical biochar demonstration equipment simply as an “incinerator” provides a complete or accurate account.

We ask Council to provide the relevant evidence and identify the rule or approval requirement it considers applicable.



3. The alleged drainage trench

Ediblescapes is presently unable to identify an excavation matching the City's description of a "trench within the parklands for drainage purposes."

The reference may possibly concern a small mulch-filled contour feature created in approximately July 2018 as a demonstration of micro-catchment rainwater management.

If that is the feature in question, it occurred several years before the direct City Deed of Licence. Ediblescapes was not informed at that time that the feature presented a problem.

However, without a date, location, photograph, dimensions or inspection record, Ediblescapes cannot know whether this is the feature referred to by the City.

An organisation should not be expected to answer a serious but unidentified allegation by guessing which historical garden feature the City may have in mind.

We ask Council to provide full particulars and evidence concerning this allegation.

4. Storage in the public picnic shelter

The allegation concerning storage cabinets in the public picnic shelter does not acknowledge the history or resolution of the arrangement.

From approximately 2020 to 2024, Ediblescapes had a verbal and email understanding concerning limited use of a small cabinet beneath a window in the shelter.

During negotiations to change Ediblescapes' occupancy from its earlier arrangement through Country Paradise Parklands to a direct City Deed of Licence, Ediblescapes was asked to stop storing materials in the shelter.

Ediblescapes complied. Our materials and gathering activities were relocated from the public shelter to the Banana Circle within the licensed garden.

The cabinet was not a recent installation demonstrating continuing non-compliance. It related to an earlier arrangement that was known and discussed and which ended when Ediblescapes was asked to relocate.

Ediblescapes subsequently pursued a safer and more appropriate storage solution through formal channels.

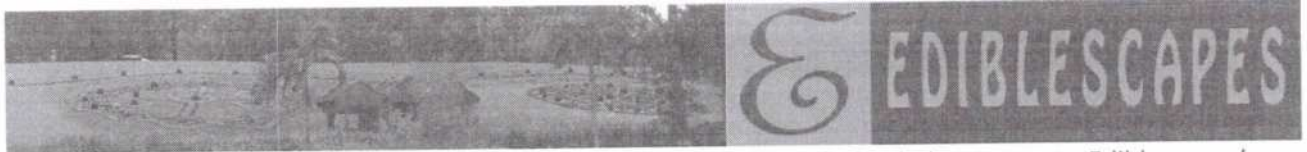
With support from Division 5 Councillor Peter Young, a small, low-profile mini shed and toolbox were funded to provide secure and hygienic storage for cooking utensils and community-activity materials.

The mini shed has a footprint of approximately 1.5 square metres. It does not have an excavated foundation or permanent concrete slab. It is stabilised with heavy patio concrete blocks and the weight of the filled internal toolbox and is positioned in a sheltered area surrounded by established trees and banana plants.

The arrangement provides practical stability and weather protection while remaining relocatable. The unit and weighted supports can be repositioned or removed without demolishing permanent foundations or causing substantial disturbance to the land.

The project was completed in July 2026. In August 2026, the City confirmed that Ediblescapes' grant acquittal had been submitted and accepted.

M: 0439 530 315 | E: ediblescape.nerang@gmail.com | <https://www.ediblescapes.org/> | F: [/n.ediblescapes](https://www.ediblescapes.org/)



The City therefore accepted the completion and acquittal of a formally funded response to Ediblescapes' storage needs shortly before relying upon an earlier shelter-storage matter as evidence supporting non-renewal.

The complete chronology demonstrates that:

- the earlier storage arrangement was known and discussed;
- Ediblescapes stopped using the shelter for storage when requested;
- activities were relocated to the licensed garden;
- an appropriate alternative was supported through a City grant;
- the project was completed and reported; and
- the City accepted the grant acquittal.

Presenting only the historical cabinet allegation creates an incomplete impression of continuing non-compliance.

5. Nature-Based Tourism Grant application

The allegation concerning the Nature-Based Tourism Grant application omits contemporaneous correspondence demonstrating that Ediblescapes openly disclosed the project's status and actively sought clarification from Council.

On 3 June 2025, Senior Recreation Services Officer [REDACTED] visited Ediblescapes. During the visit, Ediblescapes discussed its intention to apply for the City's 2025 Nature-Based Tourism Program to develop a model for regenerative ecotourism within the existing garden footprint. Also on this visit Ms [REDACTED] notified Ediblescapes representatives that council had decided to extend the required probationary period for an extra year without any reason being given.

On 4 June 2025, Ms [REDACTED] advised by email that improvements or works on City-owned premises required a Recreation Services Project Proposal and that work could not commence without written landlord consent. This created confusion as we were previously informed that this consent could not be applied for during the newly extended probationary period.

Ediblescapes replied that same day by email to clarify this confusion. No reply was ever received.

Rather than disregarding the advice, we asked whether Ediblescapes was permitted to submit an infrastructure proposal during its second provisional licence period.

Our written email response expressly separated:

1. the proposed concrete slab supported by Cr Peter Young and a possible modest storage shed;
2. the Nature-Based Tourism project's first-year capacity-building, community-engagement and media activities; and
3. any later visitor equipment that might require further permission.

The NBT grant application did not propose construction of a building.

Ediblescapes explained that the first year of the NBT project was dedicated to:

- workshops and capability-building for the core team;
- community-engagement activities;



- development of digital, video and social-media content; and
- promotion of Ediblescapes as a climate-conscious nature-based tourism experience.

Our email further stated that any later outdoor cultural cooking equipment would proceed only after the initial capacity-building phase and “once readiness and permissions are in place.”

We also advised that if permanent infrastructure could not be supported during the provisional period, the project could be adjusted to use mobile cooking equipment and improved storage within the approved garden footprint.

The email concluded:

“We are committed to working transparently and in partnership with Council. Please let me know if a meeting or additional documentation would be helpful at this stage.”

No reply was received.

This was Ediblescapes’ last communication with that Recreation Services officer. We were not subsequently advised that our explanation was inadequate, that submission of the NBT application was prohibited or that particular permission was required before its non-infrastructure activities could proceed.

The City now alleges that Recreation Services requested additional information and that it was not provided before the application proceeded. That description does not acknowledge that Ediblescapes responded immediately, explained the project’s sequencing, invited further requests and asked Council a direct question about the approval process—but received no reply.

The City has also not identified the exact grant application statement in which Ediblescapes allegedly indicated that “all required permissions had been obtained.”

There is a fundamental distinction between:

- holding a Deed of Licence to operate the existing garden;
- being eligible to submit a nature-based tourism grant application;
- delivering capability-building, media and community-engagement activities; and
- obtaining separate landlord approval before undertaking a particular physical improvement.

Ediblescapes did not treat either submission or approval of a grant application as permission to commence physical works.

When Ediblescapes was verbally advised by Ms [REDACTED] that the probationary period was extended for an extra year, it became clear that with this changed arrangement of governance proposed infrastructure could not yet be applied for or proceed. Ediblescapes then complied and did not undertake work without approval, and funds that were hoped to be able to eventually be used for such works were returned to State government grant-funding body. (The funding kindly allocated by Cr Peter Young for proposed concrete slab was also never used, even though he approved it in principle. Paradoxically, Ediblescapes had previously hoped to apply for project and building approval at the end of the original first year probationary period. Ediblescapes email to resolve this ambiguity was not replied to.

We ask the City to disclose:

- the precise grant question and complete answer alleged to be inaccurate;



- the particular permission said to be missing;
- the project component to which that permission related;
- the additional information allegedly requested but not provided;
- any response sent to Ediblescapes' email of 4 June 2025;
- any instruction directing Ediblescapes not to submit the grant application;
- relevant communication between Recreation Services and the grant assessment team; and
- any evidence that Ediblescapes commenced physical work without written landlord consent following the June 2025 advice.

The contemporaneous correspondence does not demonstrate concealment or a deliberate attempt to bypass governance. It demonstrates advance disclosure, an immediate request for clarification, recognition that later permission might be required, and willingness to modify the project.

Actions taken by Ediblescapes

Ediblescapes recognises that operating on City-managed public land carries significant responsibilities.

Over the past year, we have:

- confined our activities to the existing licensed garden footprint;
- stopped the proposed external agroforestry expansion;
- returned substantial unused Queensland project funding when the expanded project could not proceed;
- modified the Nature-Based Tourism project where infrastructure could not proceed;
- sought Recreation Services guidance before proposing new works;
- relocated materials from the public picnic shelter when requested;
- developed an alternative storage solution through a formal City grant;
- completed and acquitted that funded project; and
- sought guidance before progressing new signage or other improvements.

These actions are not consistent with an organisation deliberately or repeatedly disregarding Council governance.

They demonstrate a volunteer organisation attempting to learn, adapt, correct its procedures and work constructively within Council requirements.

Procedural fairness and proportionality

Before receiving the non-renewal decision, Ediblescapes was not provided with the sustainability audit, the complete allegations or the evidence apparently relied upon.

We were not invited to provide a consolidated response to those matters or informed that Council was considering the irreversible consequence of ending the garden's licence.

Ediblescapes does not claim that a volunteer organisation can never make mistakes. Where a concern is substantiated, we are willing to correct it and strengthen our procedures.

However:



- historical activities should be considered in their proper context;
- matters predating the direct Deed should not be presented as current breaches without explanation;
- previously addressed concerns should acknowledge the corrective action taken;
- unspecified allegations should not become findings without particulars;
- unanswered requests for clarification should not be characterised as deliberate non-compliance; and
- the response should be proportionate to the actual risk and public value involved.

Our request to Council

Ediblescapes respectfully asks the City of Gold Coast to:

1. immediately pause implementation of the non-renewal decision and the requirement to vacate by 14 September 2026;
2. provide the complete sustainability audit, statement of reasons, evidence, inspection reports, correspondence and decision-making records;
3. identify the date, authority, delegated officer or Council meeting and resolution associated with the decision;
4. provide complete dates and particulars for every allegation;
5. give the Ediblescapes Management Committee a reasonable opportunity to respond before any irreversible action occurs;
6. convene an urgent meeting involving authorised City representatives and Ediblescapes Inc.;
7. consider whether any substantiated concerns can be addressed through an improvement plan, stronger committee governance, clearer approval procedures, regular reporting or additional licence conditions;
8. clarify precisely which assets or improvements the City considers removable under the Deed; and
9. prevent the removal or destruction of living garden infrastructure while the matter remains under reconsideration or review.

To the extent applicable, Ediblescapes also requests a written statement of reasons under section 32 of the *Judicial Review Act 1991 (Qld)*.

Nothing in this correspondence should be interpreted as acceptance of the allegations or a waiver of any rights available to Ediblescapes Inc.

A request for dialogue before irreversible loss

Ediblescapes began with a simple idea: that public land could become a place where people learn to care for soil, food, biodiversity and one another.

The garden has grown through volunteer labour, community participation, public funding and support from people within the City of Gold Coast.

Our purpose is not to create conflict with Council. We seek an open and accountable process, an opportunity to respond and a proportionate solution that addresses legitimate concerns without unnecessarily destroying a valuable community and ecological legacy.

Before a nearly ten-year-old living garden is dismantled, fairness requires that the evidence be disclosed, the affected organisation be heard and reasonable corrective alternatives be genuinely considered.



We respectfully ask Council to pause the decision and meet with us before an irreversible loss occurs.

Yours sincerely,

Jorge Cantellano
President and Coordinator

Date: 15/8/26

Jorge Cantellano

Kyle Grimshaw-Jones
Treasurer

Date: 15/8/26

KJ Jones

For and on behalf of the Management Committee
Ediblescapes Inc.

Country Paradise Parklands
Nerang, Queensland

ediblescape.nerang@gmail.com
0439 530 315