

Lease Variation Tennis SA and Memorial Drive Tennis Club (Park 26)

Tuesday, 19 May 2026
Infrastructure and Public Works Committee

Strategic Alignment - Our Places

Program Contact:
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Public

Approving Officer:
Tom McCready, Director City Infrastructure

EXECUTIVE SUMMARY

The purpose of the report is to seek Council's approval of minor variations to the existing Park Lands Lease arrangements for Tennis SA (TSA) and Memorial Drive Tennis Club (MDTC) within Elder Park / Tarntanya Wama (Park 26), adjacent to Adelaide Oval.

TSA and MDTC (and others, including Tennis Australia) entered into a Deed (named Anchor Project Deed) as part of the redevelopment of the TSA's facilities, which (amongst other things) contemplated TSA and MDTC 'swapping' tennis courts within their respective leased areas.

The proposed variations formalise previously agreed and completed changes to the configuration of tennis courts between the two Lessees, without altering the overall leased footprint, size, or use of the Adelaide Park Lands.

On 23 April 2026, Kadaltilla / Adelaide Park Lands Authority (Kadaltilla) received the request from TSA and MDTC to vary the Leased areas under their respective Lease arrangements to reflect completed court reconfiguration works. Kadaltilla endorsed the proposed minor Lease variations.

RECOMMENDATION

The following recommendation will be presented to Council on 26 May 2026 for consideration

THAT THE INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the request from Tennis SA and Memorial Drive Tennis Club to vary the Leased areas under their respective Lease arrangements to reflect completed court reconfiguration works.
 2. Approves the proposed minor Lease variations as contained in Deeds of Variation of Lease in Attachment A and Attachment B to Item 7.4 on the Agenda for the meeting of the Infrastructure and Public Works Committee held on 19 May 2026.
 3. Authorises the Chief Executive Officer and the Lord Mayor to execute the Deeds of Variation of Lease and associated documentation and affix as necessary the Common Seal of the Council to give effect to the above-mentioned decision.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Places Create opportunities for sustained activation in the city through outdoor dining, parking, leases and licences.
Policy	<u>Adelaide Park Lands Community Land Management Plan (CLMP)</u> supports the Leasing and Licensing of this Park Lands premise to Tennis SA and Memorial Drive Tennis Club. At its meeting on 10 March 2026, Council approved the revised CLMP for the Adelaide Oval Precinct part of Elder Park / Tarntanya Wama (Park 26), being released for consultation, subject to agreement with the Minister for Planning, which is pending. The revised CLMP includes the proposed lease arrangements consistent with this report. <u>Adelaide Park Lands Leasing and Licensing Policy (Policy)</u>
Consultation	Not as a result of this report
Resource	Legal advice was sought to draft the Deeds of Variation.
Risk / Legal / Legislative	The <i>Retail and Commercial Leases Act 1995</i> (SA) does not apply to Leases or Licences in the Adelaide Park Lands granted by the City of Adelaide (exemption was granted by the Minister for Business Services and Consumers on 28 December 2011). The proposal aligns with the following Statutory Principles as outlined in the <i>Adelaide Park Lands Act 2005</i> (SA) Part 1, Section 4 (1), in part (b) the Adelaide Park Lands should be held for the public benefit of the people of South Australia, and should be generally available to them for their use and enjoyment (recognising that certain uses of the Park Lands may restrict or prevent access to particular parts of the Park Lands): (c) the Adelaide Park Lands reflect and support a diverse range of environmental, cultural, recreational and social values and activities that should be protected and enhanced: (d) the Adelaide Park Lands provide a defining feature to the City of Adelaide and contribute to the economic and social well-being of the City in a manner that should be recognised and enhanced: (g) the interests of the South Australian community in ensuring the preservation of the Adelaide Park Lands are to be recognised, and activities that may affect the Park Lands should be consistent with maintaining or enhancing the environmental, cultural, recreational and social heritage status of the Park Lands for the benefit of the State.
Opportunities	Partnering with commercial and sporting organisations within the Adelaide Park Lands to provide unique offerings to Adelaide Park Lands visitors and to contribute to people actively using or enjoying the Adelaide Park Lands.
25/26 Budget Allocation	Not as a result of this report
Proposed 26/27 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	For the duration of the Lease Terms

25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Maintenance responsibilities are part of the Lease arrangements.
Other Funding Sources	TSA received Federal Government funding to upgrade its facilities at Memorial Drive to support international tennis events.

DISCUSSION

1. The Memorial Drive tennis precinct is located within Elder Park / Tarntanya Wama (Park 26) in the Adelaide Park Lands and includes facilities operated by Memorial Drive Tennis Club (MDTC) and Tennis SA (TSA) under separate Lease arrangements with Council.
2. MDTC's Lease commenced on 1 January 1999 for a term of 50 years (granted under the *Local Government Act, 1934* (SA)). MDTC have also granted an Underlease to Next Generation Clubs Australia Pty Ltd ("NG") (formerly David Lloyd Leisure Group Pty Ltd).
3. TSA's Lease commenced 1 July 2017 for a term of 42 years (granted under the *Local Government Act, 1999* (SA) and the *Adelaide Park Lands Act, 2005* (SA)).
4. In 2016, TSA received Federal Government funding to upgrade its facilities at Memorial Drive to support international tennis events.
5. To deliver the upgraded facility in a practical way, some tennis courts needed to be reconfigured across the boundary of the two Leased areas.
6. TSA and MDTC (and others, including Tennis Australia) entered into a Deed (named 'Anchor Project Deed') as part of the redevelopment of the TSA's facilities, which (amongst other things) contemplated TSA and MDTC 'swapping' tennis courts within their respective Leased areas.
7. As part of the redevelopment, TSA has developed a show court, upgraded two practice courts (to international standards) and upgraded grass, synthetic and hardcourts (used by MDTC (some of which are on TSA Leased area)).
8. Relevantly, the outer perimeter or footprint of the Leased areas of the combined Leases has not been altered by these works. There is no alienation of any additional Park Lands by these arrangements, and the square meterage of the Leased areas for each of the MDTC and TSA remains the same.
9. The original Leased areas can be seen in [Link 1](#), with MDTC's area shown in yellow and TSA's area in pink.
10. The revised Leased areas can be seen in [Link 2](#), with the new MDTC areas shown in yellow and the new TSA area shown in pink.
11. TSA grants to MDTC and its members a right of way to pass and repass on foot, and MDTC accepts the grant of a right of way and, with the consent of TSA, MDTC grants to NG and its members a right of way over that piece of land between TSA's show court and other TSA's courts.
12. As the various works contemplated by the Anchor Project Deed are all complete, TSA and MDTC have written to Council to request these area changes be formally documented to take into account the swapped areas.
13. Following a review of the arrangements, two Deeds of Variation have been prepared with the assistance of Norman Waterhouse Lawyers. One for the TSA Lease (refer **Attachment A**) and the other for the MDTC Lease (which also includes NG as a party) (refer **Attachment B**). By the terms of these Deeds, the formal 'swapping' of the courts is consented to by Council, and the parties (each of TSA, MDTC and NG) otherwise acknowledge and agree that no other term of the existing Lease arrangements is amended or varied.
14. As a result of these changes, the Community Land Management Plan (CLMP) will also be updated to reflect the changes.
15. At its meeting on 23 April 2026, Kadaltilla / Adelaide Park Lands Authority (Kadaltilla) resolved to advise Council that it:

- 15.1. *Notes the request from Tennis SA (TSA) and Memorial Drive Tennis Club (MDTC) to vary the Leased areas under their respective Lease arrangements to reflect completed court reconfiguration works.*
- 15.2. *Endorses the proposed minor Lease variations and authorising the Lord Mayor and the Chief Executive Officer to execute the Deeds of Variation of Lease as contained in Attachments A and B to Item 6.3 on the Agenda for the meeting of the Board of Kadaltilla/Adelaide Park Lands Authority held on 23 April 2026 and associated documentation.*
- 15.3. *Notes that any required updates to the relevant Community Land Management Plan (CLMP) can be managed administratively.*

Next Steps

16. Proceed with finalisation of Deed of Variation of Lease documentation.
17. Update the Community Land Management Plan (CLMP) to reflect the changes.

DATA AND SUPPORTING INFORMATION

Link 1 – Lease Areas

Link 2 – Revised Leased Areas

ATTACHMENTS

Attachment A – Deed of Variation of Lease (TSA)

Attachment B - Deed of Variation of Lease (MDTC (and NG))

- END OF REPORT -