

TOIORA HIGH STREET COHOUSING MEMBERSHIP AGREEMENT

High Street / 7 Montpellier Street, Dunedin

This **Agreement** is binding on all members of the Toiora High Street Cohousing Community. This is in accordance with the **Agreement to Enter a Covenant** and **Deed of Covenant** signed by current purchasers and is a Condition of Sale for subsequent purchasers.

Vision Statement

Our vision is to create an urban cohousing neighbourhood, which promotes social and environmental sustainability, based on respect and shared responsibilities.

- Through robust eco-design and layout, establish a cohesive community which fosters well-being, diversity and the right use of resources.
- Develop and foster a thriving living environment, which uses clear communication, decision-making and conflict-resolution guidelines that promote tolerance, safety, respect and co-operation.

Toiora High Street Cohousing Kaupapa

- a) It is the intention of members to form and live at the Toiora High Street Cohousing Community in a manner that supports the Vision Statement.
- b) This cohousing community is based on the concept of cohousing as described in **Creating Cohousing: Building Sustainable Communities (2011)** by Kathryn McCamant and Charles Durrett.
- c) Resident Management. Members shall manage the property themselves, making decisions of common concern at Group meetings, using the Group Decision-Making Process.
- d) Non-Hierarchical Structure. Responsibility for decisions shall be shared by members.
- e) Common Facilities. Common areas are intended for daily use to supplement private living areas. Members may form committees to maintain and administer the use of common facilities if required.
- f) Community Group Meetings. Unit occupants, or at least one adult member occupying each unit, shall be required to participate in regular Toiora Cohousing Group meetings. Unit Owners are responsible for ensuring at least one person from their unit participates by making attendance a requirement for tenants. The frequency of meetings and minimum requirements for participation are set at meetings from time to time and notified to the Community.

Membership

Every resident aged 18 years or over, and every non-resident owner, is a member of Toiora Cohousing Group. Residents aged over 12 years, and neighbours on the old High Street School property footprint, may voluntarily be a member of Toiora Cohousing Group. All tenants as named on the tenancy agreement become members within 14 days of moving in.

New members must complete an induction process that includes:

- Visiting the property during an Open Day or a personal guided tour.
- Attending an induction workshop.
- Reading the book *Creating Cohousing: Building Sustainable Communities*.
- Signing either a Deed of Covenant (owner) or a copy of this Agreement (tenant).
- Signing the *High Street Cohousing Child Protection Policy and Declaration*.

All members are entitled to participate in decision making at Toiora through the Group Decision-Making Process as described in Schedule 1.

Members are obliged to:

- Attend Group meetings.
- Participate in subcommittees.
- Contribute to community working bees.
- Help prepare shared meals.
- Contribute to the day-to-day running of common property.
- Adhere to Group Rules relating to common facilities.
- Promptly pay any fees that may from time to time be levied by the Group.
- Attend the annual Group 'Goal Setting and Values Alignment' Weekend Workshop.

Membership ceases when a unit is sold, or, for tenants, on the day they move out.

Group Rules

Caring Rules

All occupiers are to consider how their actions may affect others. The following points outline the current (9 November 2020) ways that the Group has agreed will help us care for each other:

- **Smoking** Toiora aspires to be a smoke-free environment. Smoking/vaping is not permitted in common areas.
- **Noise** Residents should not make any noise that is likely to interfere with the quiet enjoyment of the property by others. In particular, we must observe quietness from 11:00pm to 7:00am.
- **Odours** Residents should not allow any unpleasant odours to permeate into spaces used by others. Worm farms with lids and Bokashi bins can be used in private outdoor areas so long as they are kept tidy. Otherwise, use the designated composting bins set up for common use.
- **Firearms** Toiora aspires to be a firearms-free neighbourhood, and firearms should be stored off site.

- **Pets** We welcome pets in our neighbourhood. Pet owners are expected to take all reasonable measures to ensure their pet is not a nuisance to others. Pets are not allowed in the Commonhouse. Pet owners are responsible for promptly removing any waste/droppings from their pet on common property, and for repairing any damage caused by their pet. Due to the potential effects of large numbers of cats and dogs living on the property, prior consent from the Group will be required to keep a cat or dog. It is the intention of the Group that, over time, dog and cat numbers may be reduced via a sinking lid policy.
- **On-site business** The primary use of all units is residential. An occupier may use a unit to run a business, upon notification to the Body Corporate. Business employees, clients and visitors must use the private entrance from the street to enter the unit, except for units that do not have a private street entrance.
- **Fencing** Owners must comply with fencing guidelines for private areas, as may be agreed by the Group using the Group Decision-Making Process.

Sharing Rules

A core principal of Cohousing is the strengthening of community through sharing meals and contributing time to the day-to-day running of common facilities.

As well as rostered kitchen duties, members will share the burden of administration duties, and routine cleaning and maintenance of the Commonhouse and the grounds. At times the Group may decide to carry out non-routine improvement projects involving the common areas. Costs (both financial and time) will be shared by members according to decisions agreed by the Group.

- **Cohousing Shared Meals** Residents will commit to having shared meals at regular intervals. Helping to prepare common meals is obligatory. Eating common meals is encouraged, but optional. When planning shared meals, the team will take into consideration dietary requirements of Group members. Shared meal frequency, purchasing, team structure etc. will be decided by the Group and may change over time.
- **Working bees** will be organised for gardening, cleaning and ongoing scheduled maintenance and for one-off improvements. There may be multiple working bees operating at the same time focusing on different projects. At least one adult from each household will contribute 40 hours per year of their time towards working bees on the common areas and/or Group administration. Children may contribute work hours on a voluntary basis, or contribute 10-20 hours per year depending on age. A log will be kept of hours contributed. Hours may be bought out at the rate of the current living wage (\$22.10 in 2020), which will be paid into the Operating-Cost Fund. A member may apply to the Group for an exemption to these requirements based on an individual's circumstances.

Commented [WH1]: At least 2x / week according to *Creating Cohousing: Building Sustainable Communities.*

Day-to-day Living Rules

Keeping in mind the demands of being too prescriptive and trying to cover every eventuality, here are basic guidelines to keep everyone safe, and maintain fairness with the resources that may, by their nature, be limited. Other rules may be applied by relevant subcommittees.

- **Kitchen** For the protection of the health and well-being of all, kitchen workers will adhere to NZ Food Safety Guidelines, and all are responsible for health and safety concerns.
- **Dining/Social room** The Commonhouse is for the use of all members at any time. The Common Meals subcommittee and the Social subcommittee may, at times, reserve the Commonhouse for specific events.
- **Workshop** Anyone who uses the workshop is responsible for health and safety by managing risks that could cause serious injury, illness, or even death.
- **Laundry** Permanent washing lines will be set up for common use. Occupiers may make use of temporary clothes racks to hang laundry outside their unit.
- **Guest Rooms** May be booked and paid for according to the procedures and prices established by the Commonhouse subcommittee.
- **Vehicle Parking** There is limited parking on-site. Some spaces are reserved for EV charging and disabled parking. Remaining spaces are for resident and visitor short-term parking (< 48 hours). Longer-term parking (including for trailers, containers, rubbish skips, etc.) must have prior approval from the Group. Bicycle parking will be in the planned bike shed or designated bike areas.
- **Gardens** Members can choose plants for their private plot of land – keeping in mind the ‘quiet enjoyment’ of neighbours and others. The planting of vegetables, fruit trees, harvesting guidelines, shade or ornamental trees, and erection of play equipment or other structures in the common areas is the decision of the Landscape & Gardens subcommittee.
- **Cleaning Glass** The Body Corporate will periodically organise the cleaning of external windows. If an Owner requires cleaning of external windows more often than the frequency determined by the Body Corporate, then the cost of such additional cleaning shall be borne by the owner.
- **General Health & Safety** All residents will actively manage health and safety for themselves and others. Residents who identify new or existing hazards or risks will take all practicable steps to eliminate or minimise the exposure to significant hazards or risks. Ensure fire exit doors are never blocked or obstructed in any manner. Keep hazardous tools, equipment, chemicals, etc. out of the reach of children. Also see Appendix D.

Committees

Committees are the formal decision-making entities that strive to foster well-being, diversity and the right use of resources by utilising clear communication, decision-making and conflict-resolution guidelines that promote tolerance, safety, respect, and co-operation.

The Group

The primary, overarching 'committee' is the Group. In essence this is the continuation of the UCOL meetings that created our community and worked together to build the homes and common areas that are known as Toiora High Street Cohousing.

Unless authority is passed to a subcommittee, all material decisions that affect members will reside within the Group.

The Group is distinct from the Body Corporate. The Group is below the Body Corporate in the hierarchy and acts as a buffer. It allows Toiora High Street Cohousing to have a more open and flexible participation in both the day-to-day activities, and the longer term development goals.

The Group (Provisionally known as Toiora Cohousing Group)	Purpose: Oversee the community's direction and decision-making.	Roles: Considers subcommittee recommendations. Resolves variances between subcommittees. Instructs Body Corporate to take action where necessary. Advises Body Corporate to take action where desired. Can levy households or individuals or owners for non-Body Corporate expenses. Membership enquiries and induction. External liaison e.g. DCC, media. Emergency contacts.
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Subcommittees

It is anticipated that subcommittees will have the authority and autonomy to decide and act on the myriad smaller decisions that will encompass living in our cohousing community.

Residents of any age, non-resident owners, and neighbours (on the old High Street School property footprint) can attend, and contribute to any subcommittee.

All subcommittees use the agreed Group Decision-Making Process.

Subcommittees can make recommendations, ask for funds, or request a ruling from the Group.

Subcommittee	Purview	Typical issues	Suggested members
Shared Meals	All group meals.	Kitchen rosters. Food suppliers. Kitchen equipment. Bulk & staple supplies.	Keen cooks. Those with special diets. Anyone who eats! As agreed by roster.
Landscape & Garden	Outdoor common areas.	Planting – vegetable and amenity. Fruit and vege harvesting. Pathways. Fences and benches. Bike storage. Compost & worm farms.	Keen gardeners. A rep from the Shared Meals subcommittee re vegetable garden. Cyclists. Worm wranglers. Historic fence and Archway supporters.
Commonhouse and Social	All use of the Commonhouse. Community social events.	Social events: birthday parties, seasonal events, special and family events. Booking visitor accommodation. Cleaning roster.	Anyone. Residents of M1, M2, M3. Youth residents.
Maintenance & Development	Upkeep of common property. Threats to physical property. Additions or improvements to common areas.	Maintenance issues that arise. Rubbish handling. Security. Long-term planning. Advises Body Corporate on maintenance matters.	Anyone. Anyone with property experience.
Conciliator Team (See Appendix C.)	Helping to resolve personal differences.	Any interpersonal issues within the community that need assistance.	Persons chosen by the membership.
Workshop	Activity within workshop.	Equipment purchase or maintenance. Making stuff / creative pursuits.	Anyone.
Finance	Anything concerning finance. Works closely with Body Corporate.	Oversees budgets. Answers finance questions. Oversees reimbursements and payments for community expenses. Oversees collection of Body Corporate payments.	Anyone. Everyone.

Dispute Resolution and Mediation

Disputes vary in scale and may affect a few or many members of the Group. For this reason, different strategies for dispute resolution will be employed as appropriate. For example, disputes may remain between two residents, or, if they affect the entire Group, they may appropriately be resolved via the Group Decision-Making Process.

If there is a dispute between owners and/or residents, the parties should first meet face to face to discuss the issue. The parties may seek assistance from a member of the Conciliators Team. If the dispute is still not resolved, the parties are obliged to appoint and consult a professional mediator and go through the recommended mediation process before seeking legal action. Any cost of mediation is to be shared pro-rata between the parties.

[See also Appendix C]

SIGNING

The Member hereby acknowledges and confirms their acceptance of the Toiora High Street Cohousing Kaupapa and the High Street Cohousing Group Decision Making Process and their willingness to respect and comply with these Group Rules and others that may, from time to time, be added.

Name

Signed Date/...../2021

Witness

Signed Date/...../2021

Appendix A

Cohousing Group Decision-Making Process

Communication Guidelines

- I will use “I” statements and speak for myself, not others
- I will speak succinctly (short and to the point)
- I will take responsibility for owning and naming my own feelings
- I will respect others’ rights to speak without interruption
- I undertake to respect others’ privacy by not discussing outside the Group other people’s personal issues which may arise within the Group process
- I undertake to keep relationships within the Group clear by dealing with any problematic issues directly with the persons concerned
- I recognise that we work best together when we remember to have fun!

Coloured-Card Agreement Process

We use a particular consensus-building procedure to reach agreement that has been adopted by many cohousing groups, as follows:

[Each person should have a set of coloured cards – green, blue, orange, yellow, red and black.]

The Process for Discussions

The cards can be helpful in preliminary discussions, particularly if the Group is large. Before being called on to speak on an issue, participants must first put up a coloured card according to the following guidelines:

- **Black** I have an interpersonal difficulty and can’t proceed
- **Red** I have a process observation, i.e. we are off topic or over time.
- **Yellow** I have a question or need clarification
- **Orange** I wish to acknowledge someone or something (often a thank-you)
- **Green** I can provide clarification or information
- **Blue** I have a comment or opinion

The facilitator/chair calls first on anyone holding a black card. The Group then decides what happens next.

The red cards are then dealt with. The red “stop-the-process” card can be raised at any time. It is used to point out a breach in the way we have agreed to proceed.

People raising yellow cards to indicate questions receive the next attention.

After a question has been asked, people holding green cards are called on to provide clarification.

After all questions have been answered, the facilitator/chair calls on people holding the blue cards to speak.

The Process to Reach Agreement is Through Consensus

When deciding an issue, the minute-taker and/or facilitator/chair writes the minute and reads it out to the Group for any further amendments, additions, corrections or discussion. The whole Group is responsible for the wording of the minute. The facilitator/chair then calls for a show of cards and each person raises one of the cards:

- **Green** I agree with the proposal
- **Blue** I am neutral about the proposal or for it with some slight reservation
- **Yellow** I have a question concerning the proposal which must be answered before I can make a decision
- **Orange** I have some serious reservations about the proposal but am not willing to block consensus
- **Red** I am entirely against the proposal and will block consensus

If not all cards raised are green, those people with reservations should voice their concerns if they have not already done so.

The process requires everyone to participate in decision making. Dominant personalities will find it harder to push their ideas through at the expense of the less vocal, and softly spoken members must take responsibility for voicing their concerns.

Appendix B

Induction process for tenants and new owners

All properties in the Toiora High Street Cohousing neighbourhood are required to remain 'cohousing', which means that all residents, owners or tenants, need to be aware of the expectations they need to meet.

Process

1. Read "Creating Cohousing" by McCamant and Durrett – copies are available to borrow from Dunedin Public Library or from us.
2. Attend an induction session, explaining what cohousing is, and what cohousing requires from those who live there: sharing in decision-making, participating in working bees, taking a turn at cooking the communal meal. *This could be available as an on-line video*
3. Go through the Body Corp Agreement, the Child Protection Policy, and the Community Agreement with a Toiora member.
4. Attend at least three cohousing events - one regular meeting, one shared meal, one working bee (depending on timing).
5. Sign:
 - ✓ Body Corp Agreement (if Unit owner)
 - ✓ Toiora Cohousing Agreement
 - ✓ Child Protection Policy,

Appendix C

Conciliation Team

Background

Most of us joined Toiora High Street Cohousing because we wanted our lives to be made richer by living in a friendly and supportive neighbourhood and we all look forward to working cooperatively and sharing happy times.

However – though we cannot predict what issues will cause discord – we also realise there is bound to be some conflict once we are in residence.

Ideally we will learn to welcome conflict: to recognise the advantages of working creatively towards finding solutions which are acceptable to us all – despite different points of view – believing these solutions are often better than the binary either/or of initial discussions.

But in the meantime most of us tend to avoid conflict, despite knowing that conflict unattended impacts on relationship and hence community life.

Conciliation Team

The Conciliation Team is a group of five chosen individuals with an annual review of its composition and efficacy. It is expected that the Conciliation Team's prompt attention to a problem will, at best resolve a problem or dispute, at worst prevent an unhappy situation exacerbating.

Members of the Conciliation Team will:

- be a resource for all members of Toiora High Street Cohousing and be available, individually or collectively, as a sounding board, for advice, or for assistance in dealing with a problem or dispute;
- be alert to potential sources of conflict and proactive in initiating activities and training which will promote healthy dialogue within the Toiora High Street Cohousing neighbourhood;
- model an open, impartial and non-judgmental, non-adversarial but empowering, approach in all matters, personal and professional, and maintain confidentiality if it is requested;
- include a variety of personalities to ensure residents feel they have some choice about the sort of person they would be comfortable approaching.

Method of Selection of Members of the Conciliation team

Circulate a list of the names of all residents, who:

1. are over the age of fifteen,
2. are shareholders or expected to be permanent residents in the neighbourhood,
3. have not stated an unwillingness or inability to be on the team.

Members indicate any/all on the list whom they believe would be an effective member of the Conciliation Team by assigning a numeric ranking ('1' being their first choice, '2' being their second choice, and so on). Two persons, who are not on the list, will use Single Transferrable Voting software to select five people for the team. Apart from the naming of appointees, selection data will be confidential and destroyed.

Appendix D

Health & Safety

It is up to all of us to create a safe and healthy community. We need to work together to do all we can to prevent accidents and illness at Toiora High Street Cohousing. We are all responsible for identifying potential hazards in common areas.

The Group's main responsibilities regarding health and safety are to:

- Identify, assess and manage hazards to establish safe work practises
- Provide training and instruction on how to use common equipment and materials safely.
- Provide protective clothing and equipment as required.
- Record all accidents and near misses and investigate where necessary to ensure future accidents are avoided.
- Provide opportunities for members to be involved in health and safety.

As a resident it is your responsibility to:

- Take care of your own health and safety.
- Take care to not affect the health and safety of others.
- Carry out tasks in a safe way.
- Follow health and safety policies and procedures.
- Let the appropriate sub-committee or the Group know if something happens or nearly happens.
- Share ideas and provide feedback on how to improve health and safety practises.