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# TOIORA HIGH STREET COHOUSING MEMBERSHIP AGREEMENT

25 Alva Street / 7 Montpellier Street, Dunedin

Version 4.5

Adopted 25 March 2021

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This **Agreement** is an expression of commitment and trust by all members of the Toiora High Street Cohousing Group. It outlines many of our expectations for the ways we build and sustain our community. It is a living document and will adjust over time according to our collective best judgement. Prospective tenants and subsequent purchasers are required to agree to the spirit and detail of this agreement in the form applying at the time of joining the community.

## 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 our Community.

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## 'The Group'

The collective action and intent of our community is represented by '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. It comprises all current members.

*'What concerns everyone can only be resolved by everyone'*

- Friedrich Dürrenmatt

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

The Group is distinct from the Body Corporate. 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.

<b>The Group</b> (Also known as Toiora Cohousing Group)	<b>Purpose:</b> Oversee our community's direction and decision-making.	<b>Roles:</b> Considers work group recommendations. Resolves variances between work groups. Recommends 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 e.g. meals etc.
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## Membership of Toiora Cohousing Group

- At least one resident - aged 18 years or over – from each household is a member.
- Every non-resident owner is a member of Toiora Cohousing Group.
- Other residents aged over 10 years may be a member of Toiora Cohousing Group.
- Neighbours and cohousing supporters may be invited to be associate members. [Associate members' rights and obligations are to be decided]

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 this Agreement.
- Signing the *Toiora High Street Cohousing Child Protection Policy and Declaration*.

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

The use of common facilities creates obligations to contribute to the functioning of our community.

*Mauri mahi, mauri ora. – Do the work, get the treats*

We expect resident members to koha time to the following:

- Attending Group meetings
- Helping organise shared meals
- Participating in Work Groups.
- Contributing to community working bees.

Members and residents agree to:

- Be guided by these Group policies relating to common facilities.
- Attend the annual Group Weekend Workshop where we reflect upon our wild and precious life together.

Membership ceases when a unit is sold, or, for tenants, on the day their tenancy ends.

## Group Guidelines

*The following guidelines outline the current (25 March 2021) ways that the Group has agreed will help us live alongside each other:*

## Caring Guidelines

*All residents are to consider how their actions may affect others.*

- **Smoking** Toiora aspires to be a smoke-free environment. Smoking/vaping is not permitted in common areas.
- **Noise** Residents should avoid making noise that is likely to interfere with the quiet enjoyment of the property by others. In particular, we observe quietness from 11:00pm to 7:00am.
- **Odours** Residents should be aware that unpleasant odours can 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 accept current 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.

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- **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 respect fencing guidelines for private areas, as may be agreed by the Group using the Group Decision-Making Process.

## Sharing Guidelines

*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 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** Team preparation of shared meals builds the social glue of our community and participation is expected. Likewise, sharing and socialising at Commonhouse meals is encouraged. When planning shared meals, the team will take into consideration dietary requirements of Group members. Guests and non-member residents may be invited to shared meals. Shared meal frequency, purchasing, team structure etc. will be decided by the Group and/or the Shared Meals Work Group, and may change over time. Our initial plan is for shared meals every 4<sup>th</sup> calendar day. Meal times will alternate between 6pm and 7.30pm.
- **Working bees and regular tasks** will be organised for gardening, cleaning and ongoing scheduled maintenance, office duties, and for one-off improvements. It is expected that an average of one hour/week/adult resident member will enable our working bees and other tasks. Children and non-members may also contribute. To enable ongoing assessment of the quantity and type of labour given, a digital log will be available for self reporting. A member may be relieved from work expectations if their circumstances make a contribution unreasonable.

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## Day-to-day Living Guidelines

*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 guidelines may be formulated by relevant Work Groups.*

- **Dining/Social room** The Commonhouse is for the use of all members at any time; though the Common Meals Work Group and the Social Work Group may, at times, reserve the Commonhouse for specific events.
- **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.
- **Guest Rooms** May be booked and paid for according to the procedures and prices established by the Commonhouse Work Group.
- **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 and washing machines are for common use. Residents may make use of temporary clothes racks to hang laundry outside their unit.
- **Vehicle Parking** There is limited parking on-site. Some spaces are prioritised for active EV charging, deliveries and mobility parking. Longer-term parking (including for trailers, containers, rubbish skips, etc.) needs prior approval from the Group. Bicycle parking will be in the bike shed or designated bike areas.
- **Landscape** Members can choose plants for their private plot of land – keeping in mind the ‘quiet enjoyment’ of neighbours and others. On common land - the planting of vegetables, fruit trees, harvesting guidelines, shade or ornamental trees, and erection of play equipment or other structures is the decision of the Landscape & Gardens Work Group and the Tamariki Group.
- **Cleaning Buildings** The Body Corporate will periodically organise the cleaning of gutters, the building exterior, and external windows. If an owner requires cleaning of these items more often than arranged by the Body Corporate, then the additional cleaning will be the responsibility of 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.

## Work Groups

Work Groups are the smaller, and more focussed, 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.

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

Members and residents of any age can attend and contribute to any Work Group. It is suggested that all Work Groups use the agreed Group Decision-Making Process. Work Groups can make recommendations, gather information, make inquiries, ask for funds, or request a decision from the Group. The groups will work in an open way, informing people of their agenda.

<b>Work Group</b>	<b>Purview</b>	<b>Typical issues</b>	<b>Suggested members</b>
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 vegetable harvesting. Pathways. Fences and benches. Bike storage. Compost & worm farms.	Keen gardeners. A rep from the Shared Meals work group 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. The Library. Fireplace supplies & maintenance. Cleaning roster.	Anyone. Residents of Commonhouse units. Youth residents.
Tamariki and Rangitahi ( <i>to be decided by this workgroup</i> )	Playground, Rumpus Room, . . . ( <i>to be decided by this workgroup</i> )	Playground equipment. Toy/book/game sharing. Rumpus room furniture and décor. School holiday activities.	Young residents
Maintenance & Development	Upkeep of common property. Threats to physical property. Additions or improvements via Common Development Fund.	Maintenance issues that arise. Long-term planning of facilities. Advises Body Corporate on maintenance matters. Rubbish handling. Security.	Anyone. Anyone with property experience.
Conciliator Team (See Appendix C.)	Helping to resolve personal differences.	Any interpersonal issues within our community that need assistance.	Chosen by members.
Workshop	Activity within workshop.	Equipment purchase or maintenance. Making stuff / creative pursuits.	Anyone.

Finance and administration	All administrative matters. Works closely with Body Corporate.	Oversees budgets & payments for community expenses. Administers utility metering and payments. Member & emergency contact register. Filing of community records. Records Health & Safety incidents and near misses. Oversees collection of Body Corporate payments.	Anyone. Everyone.
Outreach	Communication 'beyond the fence'	Induction and new member support. Neighbourhood liaison. PR, media and promotion of cohousing. Advocacy with banks, local & central govt.	People with PR/media skills. Good negotiators. Lobbyists for good.

## Dispute Resolution and Mediation

[NOTE – This section awaiting advice from our lawyer – as at 25 March 2021]

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

I confirm my acceptance of this Toiora High Street Cohousing Membership Agreement.

Name ..... Signed ..... Date ...../...../2021

Witness ..... Signed ..... Date ...../...../2021

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## 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.



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### *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.

Decisions made in a member's absence can be revisited only at the next meeting, unless the revisit is supported by more than 50% of members present.

## 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. A unit owner is responsible for ensuring that prospective tenants or future owners of that property are aware of the following process.

#### *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 and the Toiora High Street Cohousing Membership Agreement with a Toiora member.
4. Attend at least three cohousing events, for example one regular meeting, one shared meal, one working bee (depending on timing).

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5. Sign:

- ✓ Body Corp Agreement (if Unit owner)
- ✓ Toiora High Street Cohousing Membership Agreement
- ✓ Child Protection Policy (Appendix C)
- ✓ [Owners] Sign a declaration agreeing to include adherence to this Cohousing Agreement as a Term of Sale in any future Sale & Purchase Agreement.

## Appendix C

### TOIORA HIGH STREET COHOUSING CHILD PROTECTION POLICY AND DECLARATION

- The term 'Child' refers to children and young people.
- Household members include any people living in any units in the Toiora High Street Cohousing community

#### 1. Statement of commitment

- 1.1 TOIORA HIGH STREET COHOUSING is committed to the welfare of children in New Zealand. We oppose all forms of exploitation and child abuse
- 1.2 TOIORA HIGH STREET COHOUSING believes that all children have the right to protection from abuse.
- 1.3 TOIORA HIGH STREET COHOUSING believes that keeping silent is wrong when it is known that a child is being abused or exploited.
- 1.4 TOIORA HIGH STREET COHOUSING is committed to keeping the law on child rights and welfare. This includes the UN Convention on the Rights of the Child.
- 1.5 TOIORA HIGH STREET COHOUSING believes in the importance of child protection, so that not only are the children protected from abuse by TOIORA HIGH STREET COHOUSING household members, but also that preventive measures can be made to protect TOIORA HIGH STREET COHOUSING household members and TOIORA HIGH STREET COHOUSING's community integrity.
- 1.6 TOIORA HIGH STREET COHOUSING believes that children have the right to speak and be heard. Therefore where possible children will be included and welcome to participate in community activities.
- 1.7 The different forms of abuse are:
  - **Physical abuse:** Any punishments and physical abuse to children like beating including with a stick or other implement, poisoning, shaking and smothering or forcing the child to work in an unsafe way/environment. These are things that deliberately negatively affect the physical well-being of children.
  - **Mental abuse:** Any gestures, words or behaviours that deliberately affect a child's mental/emotional well-being for example by making them afraid, anxious, or discouraged.
  - **Neglect:** Any action that deliberately neglects to provide the four essential rights of children (right to live, right to learn, right to participate and the right to speak).

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- **Sexual abuse:** Any actions with sexual intent towards children, forcing children to watch or take part in pornography, to participate in/or observe any form of sexual act or coercing the child to have sex.

## 2. Behaviour Protocols

- 2.1 All household members of TOIORA HIGH STREET COHOUSING community are expected to treat all children associated with TOIORA HIGH STREET COHOUSING community with respect and dignity
- 2.2 Each individual must sign a statement to say they have read the policy, will respect it and understand that action will be taken in cases of inappropriate behaviour.
- 2.3 Adults will always be responsible for their behaviour and cannot blame the child if the child 'provokes' or acts in a 'seductive' way.

### Declaration to be completed by all people planning to live in Toiora High Street Cohousing Community

I declare that:

- 1) I have read and I understand TOIORA HIGH STREET COHOUSING community's Child Protection Policy (*see above*)
- 2) I have not been accused or convicted of any offence involving physical or sexual abuse of children.
- 3) I understand that if a complaint is brought against me regarding the abuse of children while engaged in TOIORA HIGH STREET COHOUSING community activities, the allegation will be thoroughly investigated in cooperation with the appropriate authorities.
- 4) I agree to abide to this policy and to make all my effort to protect children from abuse.

_____	_____	_____
Name	Signature	Date
_____	_____	_____
Witness	Signature	Date

Revised October 2016

Group name change November 2020

*Adapted from: Child Protection. Dr. Jo Wright. 2002, with acknowledgements to WEC Cambodia child protection policy*

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## Appendix D

### 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 being exacerbated.

#### **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;
- 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 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.

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## Appendix E

### 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 practices
- 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.
- Be aware of health and safety policies and procedures.
- Let the appropriate Work Group or the Group know if something happens or nearly happens.
- Share ideas and provide feedback on how to improve health and safety practises.