

The ECD centres (on the following pages) are examples of individual cases we took on. They illustrate the real and often severe challenges that ECD centres face in trying to navigate the regulatory and compliance systems at a local government level.



### C: CASE STUDY 1

#### **AnnaMaries Educare and Aftercare**

AnnaMaries Educare and Aftercare began as a simple vision in Kuils River, a project of love and community commitment by Anne-Marie Nieuwenheyzen and her husband Rodney, a pastor in the community. Together, they opened their doors to 66 children, creating a warm, nurturing space for early learning and aftercare with a small, dedicated team of six staff members.

In August 2019 however, a challenge arose: Anne-Marie and Rodney learned they needed official land use approval to operate legally. Closing wasn't an option - they had a deep sense of responsibility to the families and children relying on them. With nowhere else for the children to go, they continued to operate. But soon, they found themselves in legal trouble, facing criminal charges for running the ECD centre without the required permission from the City's Land Use Management Department. This led to a court case and eventually, an admission of guilt fine.

Determined to keep their ECD centre open, Anne-Marie and Rodney embarked on a lengthy journey to secure land use approval. They commissioned a noise impact assessment, implemented a noise management plan, and even hired a consulting firm to navigate the daunting land use application process. When the City of Cape Town required them to build six parking bays, they sacrificed valuable play space for compliance - despite the irony that these bays do not get used since most of their children and staff live locally and walk to the ECD centre or travel via public transport.

Even with all these efforts, their land use application was denied. Facing what seemed like an insurmountable hurdle, Anne-Marie turned to CECD and legal support to appeal this decision.

Together, we rallied support, sharing the story of AnnaMaries Educare and Aftercare with the City and beyond, which can be viewed here: [www.cecd.org.za/learning-brief-links](http://www.cecd.org.za/learning-brief-links). Their voices were finally heard, and the appeal to keep the ECD centre open was granted.

Yet, another financial challenge awaited. As a condition to the land use approval, they received a development charge of R146,673. CECD helped Anne-Marie apply for an exemption from having to pay this development charge. The exemption application was successful. Anne-Marie was exempt from paying this overwhelming charge, allowing her to focus on the next step: obtaining an approved building plan.

Moving forward with municipal compliance came with more expenses. Anne-Marie paid R8,000 for an architect to draw up a building plan of the ECD centre and another R5,000 for a building plan scrutiny fee. The City then requested amendments to the building plan, and the architect required an additional R7,500 to do this. This unexpected additional amount highlights the challenges principals face when dealing with and appointing architectural professionals. There needs to be a clear agreement in place which sets out that the architect will see the building plan through to approval and specifies in advance what the fee will be, which includes covering any amendments.

With limited resources, Anne-Marie faced a difficult choice. At the time, the ECD centre's ceiling collapsed during storms, posing a serious risk to the children. Putting safety first, Anne-Marie chose to repair the ceiling, delaying the required building plan amendments. Their story continues to develop as they continue on the registration journey.

Anne-Marie from  
AnnaMaries Educare and Aftercare.



## D: CASE STUDY 2

### Legos Daycare

In the heart of Grassy Park, Michelle Wagner had a vision. 23 years ago, she founded Legos Daycare, a safe, nurturing place where young children could learn and grow. Over the years, her ECD centre has grown and now cares for and educates 80 children and employs a dedicated team of nine staff, however, Michelle quickly encountered significant challenges with the municipal approval processes.

When Michelle applied for land use approval, she faced a complex and bureaucratic process. City officials shuffled her from one office to the next, each answer more confusing than or contradictory to the previous. The hurdles were relentless: there were unclear demands, costly conditions, and frustratingly slow responses. Despite the already high costs of running the ECD centre, Michelle received a R4,000 administrative penalty and an even larger requirement to obtain a traffic impact statement, for which she had to pay a consulting engineer specialising in traffic engineering and transport planning R15,000.

More than four and a half years after she submitted her application, Michelle finally received the required land use approval. But the victory was bittersweet. Attached to the approval was a hefty development charge of R146,431 which was subject to an annual escalation that increased the development charge to R194,719. This fee was far beyond what Legos Daycare could manage, threatening the very survival of the ECD centre. The ECD centre was going to close if this charge remained and that is when she approached CECD.

CECD stepped in to help Legos Daycare navigate the appeal process. Through determined advocacy, we managed to reduce the development charge by R108,425, bringing it down to R86,293. Yet even with the reduction, the cost was too high. CECD then assisted Michelle in applying for an exemption from having to pay this development charge which had been reduced. The development charge exemption was successful. After 11 months of persistence, Legos Daycare no longer had to pay a development charge of almost R195,000.

In October 2025, Legos Daycare's building plan was approved. Thereafter, they made the necessary building alterations as indicated on their approved building plan. They are now moving onto the next stage of compliance; that is obtaining fire clearance.



### **E: KEY LEARNINGS (AT THIS STAGE)**

- Engagement with ECD forums and individual walk-in cases revealed consistent, systemic challenges across the sector.
- The regulatory framework for ECD centre compliance was not functioning as intended. Instead of enabling access and ensuring a safe and healthy environment where young children can thrive, it creates barriers that are:
  - Complex and confusing
  - Financially prohibitive
  - Particularly exclusionary for ECD centres in poor and marginalised communities
- Supporting ECD centres through walk-in cases provided valuable insight and individual relief but proved unsustainable in the long term.
- This case-by-case approach is resource-intensive and time-consuming, making it untenable as a long-term solution.
- These experiences underscored the urgent need for systemic reform to create an enabling, equitable, and context-responsive regulatory environment for ECD centres.



**Michelle from Legos Daycare**  
(see case study on the previous page).